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Is it right or wrong?











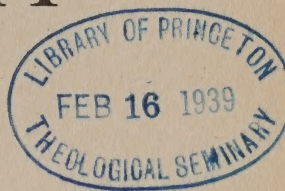
IS IT RIGHT  
OR WRONG  
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# IS IT RIGHT OR WRONG?



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SUNDAY AMUSEMENTS • MARRIAGE  
AND DIVORCE • INVESTMENT AND  
GAMBLING • CHURCH VS. STATE •  
WAR • CAPITAL VS. LABOR •

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*By*  
NOLAN B. HARMON, JR.



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TO MY WIFE  
REBECCA LAMAR HARMON

MY BEST CRITIC  
AND MOST HELPFUL  
COLLABORATOR





## FOREWORD



It is the purpose of this book to discuss certain practical problems of Christian ethics. The problems are *practical*, for they deal with matters of everyday conduct or important situations which frequently arise in life; they are *ethical*, for they treat of right and wrong; and they are *problems*, for each subject covers a field in which there is no general agreement and where good men differ intensely.

Fundamentally, this book is written to help clarify the thinking of Christian people on questions which are often discussed, and frequently with more heat than light. It is not supposed to be a final word, but is an effort to set forth, with more definiteness than the usual broad ethical treatise allows, what I should like to feel is the reasoned resultant of Christian thought on some perplexing problems in a most perplexing age.

Because of the bitter differences over these questions, the writer cannot hope to please at all points those who shall read the following pages. The positions he takes and the opinions assumed are in some instances in direct opposition to the present trend of thinking in organized Church life—that is, if that trend has been correctly reflected in the books, sermons, articles, and usual conference or convention pronouncements of recent years. Nevertheless, despite the several highly controversial fields into which he enters, the writer has attempted to approach these situations in a dispassionate way, and to

view all in the light of a present Christian conscience, as well as through the opinions of many others who have likewise written or spoken in these respective fields.

Let it be emphasized that this is a work within the limits of Christian ethics. The author does not appeal to nor set up any new esoteric standard in endeavoring to arrive at conclusions. The New Testament, the norm of Christianity, has been referred to in all cases where it touched in any way upon the subjects discussed. After this, the teaching of the Church, as it has dealt with the questions at issue, has likewise been carefully observed. Last of all, the writer has been at great pains to secure such present-day interpretations as might be of aid in throwing light upon, or indicating the proper course to be pursued in facing the various problems.

I should like to acknowledge my gratitude to the many who have helped me in compiling these studies. Special thanks are due to my wife for her keen and discerning criticism and for her active collaboration in completing this work. Mrs. Estelle Woody Patterson, my secretary, has been of inestimable help in typing and preparing the manuscript for the printer; and I am sincerely grateful to two of the brother ministers of my city, Rev. E. S. Sheppe, Jr., of the Raleigh Court Methodist Church, and Rev. Walter P. Binns, D.D., of the First Baptist Church, who read the manuscript and made many helpful criticisms and suggestions.

N. B. H., Jr.

*Roanoke, Virginia.*

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## CHAPTER ONE

### THE SABBATH WAS MADE FOR MAN



*A discussion of the Sunday amusement question in the light of the Christian tradition and modern needs.*

"DON'T you think it is all right to play golf on Sunday afternoon," a splendid young business man recently asked his pastor, "provided I go to church in the morning and otherwise try to live right? I am tied down to business every other day."

This question will serve to break open at once the whole matter of Sunday and its relationship to the modern Christian. In its ultimate reaches this inquiry stretches all the way from the patriarchal society of ancient Judea to the tense and complicated social patterns of modern America. One can almost hear the thunder from Sinai mingling with the cheering of the packed Sunday grandstand when the King of Swat steps up to bat. But what should the pastor say?

"The amusement problem is the crux of the Sunday question," a high officer of the Lord's Day Alliance once judicially observed. No one doubts the value of Sunday as a day of rest and worship. Both secular interests and church officials agree here. The hardest roustabout who ever shouted for blood at a Sunday evening prize fight is the first to join with the church in its demand that Sunday shall be a "day of rest" from ordinary labor. In fact he takes this day as his inalien-

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able personal right, albeit, had it not been for God above and Church below he would never have been given a day for rest and pleasure. Morality, like politics, sometimes makes strange bedfellows.

It is generally admitted that there is much work that must necessarily be done on Sunday, and even the most pious Christian no longer lifts his voice against the essential labor which a highly organized society now demands. The running of trains, the roar of street cars and buses, the hum of the dynamo at the power house, the forwarding of the mail, the delivery of milk or medicine—all this is with us and has come to be accepted practically without cavil. Even the ideal Christian social order—if we ever have it—may find that in a highly co-ordinated society it cannot relax for one day the bonds that hold the world in a complex unity for six others.

But where there is objection and where tension occurs is in the indefinite region where rest and recreation shade over into each other. Rest is recreation, and recreation can be the finest type of rest, as all allow. But when the open bathing pool claims the half-clad boys and girls who theoretically were worshipers at church in the morning; when the trout stream murmurs its seductive call to the Sunday fisherman; when the early morning sunshine summons the golf enthusiast to hurry up and tee off before the crowd comes; when the open road whispers to the cramped business man of mountain lakes, deep woods, or quiet rivers; when society is composed of workers who are chained to desks or counters or machines for six days—what shall we say to their insistent demand for a day that will give them an opportunity for play and entertainment as well as for surcease from labor? And what

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shall we say to the Christian worker who feels this urge? Must he keep the Sabbath of the Jews, in all its strict legalism? Has not the Christian dispensation relieved him of the law of ordinances and the impedimenta clustering about new moons and Sabbaths? Has not the modern Christian a liberty in which, as the Apostle urges, he may stand fast?

Furthermore, what shall we say to the people of the world about us who are not bound by the Christian conscience, and who demand the right under law to order their own pleasure and Sunday leisure as they please? Have we a right to bind all people to a set of rules which, while valid for us, may not be so for others who live in our land and claim to be free from the domination of any religious group? In short, how shall a Christian keep his own Sunday, and how may he rightfully demand that it be respected and kept by others?

### I

IN treating first the Christian's own attitude toward Sunday, it is necessary to get clearly in mind the historic evolution or development of the day, as the ages have known it. Sinai did see the law of the seventh day proclaimed for the Jewish people, and "the Sabbath" is a familiar word for the Christian Sunday today. Nevertheless, the Sabbath of the Mosaic dispensation and the Sunday of the Christian Era are not the same, and in origin they were poles apart.

The Sabbath, as the Jews knew it, was and is kept by them in line with the precepts of the Fourth Commandment. No doubt Jesus and his disciples kept this day holy unto the Lord, as did their nation. But by the resurrection of Christ upon the first day of the week, "when the Sabbath was past"; by the Lord's subsequent

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appearance "after eight days"—i.e., on the first day again; by the spontaneous and almost unplanned meetings of the disciples on subsequent first days to celebrate the Sacrament and collect alms for the poor—by all these the Christian Sunday came into being. It represented from the first a clean break with the old Sabbath. "The Fathers did not regard the Christian Sunday as a continuation of, but as a substitute for, the Jewish Sabbath," observes Philip Schaff; "and based it not so much on the Fourth Commandment and the primitive rest of God in creation to which the Commandment expressly refers, as upon the resurrection of Christ and the apostolic tradition."<sup>1</sup> To be sure, the Sabbath was observed for many years by those Jews who became Christians, but at the same time the Lord's Day was observed also, and as *a day of gladness*, not one of bondage to law. The whole genius of early Christianity, anti-legalistic to a high degree, was united in holding Sunday for the free and untrammelled expression of Christian liberty. "Sunday we give to joy," exclaimed Tertullian. "We have nothing to do with Sabbaths, new moons, or Jewish festivals, much less with those of the heathen." He added significantly, "We have our own solemnities. The Lord's Day, for instance, and Pentecost."

The first Sunday laws, which were proclaimed when Christianity gained control of the purple with Constantine, emphasized this idea of Sunday as a day for rest and gladness, and entirely ignored the old Sabbath. The Council of Laodicea, near the end of the fourth century, went further and forbade Christians to "judaize" by abstaining from work on the seventh day. At the same time it instructed them to honor the Lord's Day and rest upon it as Christians.<sup>2</sup>



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But about the time of Charlemagne the civil laws for the observance of Sunday began to be supported by quotations from the Old Testament—which of course referred to the Sabbath. The two days, Sabbath and Sunday, are so essentially alike in their divine function that an uncritical age would be likely to use any argument that came to hand to support its own distinctive cultus. So the Fourth Commandment was again emphasized, this time by Christian people, and up to the time of the Reformation was often cited in support of the Sunday laws of the Holy Roman Empire.

But the Reformation, harking back to primitive ages, brought a change in the conception of Sunday, just as it did in other things. Martin Luther, standing flatly on the liberty enjoyed by a Christian man, went so far as to say that Sunday was no better than any other day for worshiping the Lord; but that since Sunday had been hallowed by the Christian ages, it should continue to be kept rather than another day for the sacred functions of the Christian Church.<sup>3</sup> The Augsburg Confession went almost as far as Luther, protesting against the idea that Sunday was in any way a substitute for the Jewish Seventh Day.<sup>4</sup> Even so pious an evangelical as John Bunyan of England, felt that the stringency of Sabbatarian regulations ought to be loosened in view of the freedom from laws and ordinances that every child of God should enjoy.

As it turned out, Continental Europe—both Catholic and Protestant—fell in line with an anti-legalistic and less rigid view of Sunday; but England, Scotland, and New England, following the iron regulations of John Knox and the Puritans, held to a much stricter course. Sunday in the last-named countries became known as

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"The Sabbath." On the Continent it was never so termed.

So much for the background and historic evolution of the Lord's Day in Christian thought. It is hardly necessary to proceed further and refer to the "blue laws" of early New England or the deep impress left by the Puritan in America. Secular writers have long enjoyed pillorying the austerity of old New England and rejoice today in the abrogation of Sunday legislation and the breaking of traditional customs. That there was a hard, even un-Christian, severity behind the Puritanical Sunday of Colonial times is of course admitted by all today. But following this era there came into American life—in part from the now despised Puritan—what a recent writer with nostalgic friendliness called the "old-fashioned Sunday." This became for generations such a stable institution that one may well marvel today at the swiftness with which in almost a single decade it has collapsed. The Sunday train and Sunday newspaper—early tentacles of our machine-made civilization—were the first to thrust themselves into the ordered poise of the day, but not until the automobile arrived did Sunday crack to pieces over the whole land. Now the American people take to the road on Sunday, and that road does not lead to the church. The day of rest has become a day of motion, of sightseeing, of hilarity, and of everything else but quietness, reverence, and peace. Sunday laws have yielded to overwhelming popular pressure, and where they have not been repealed they have often been nullified or denatured by the courts. We have recently had decision after decision gravely affirming that commercial amusements such as Sunday ball games, bathing pools, and picture shows are "works of necessity." All

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of which create an atmosphere that intensifies the problem for the ordinary Christian.

### II

BUT no matter how much the Lord's Day is broken by others, the present-day Christian—and this is for the golf questioner—finds that there are sanctions (to borrow a word from contemporary politics), imperative and authoritative, which the day has for him as a person. Irrespective of where he lives or what customs and laws bind others, to the Christian—whether in China, Africa, or an American pleasure resort—Sunday is Sunday. The world about him may not keep it, but he finds within himself the definite call to do so. Why?

Not because of the Old Dispensation but because of the New. Let that be said clearly, unequivocally, and finally. The same God who ordained the Sabbath for the men of the Old Covenant chose the first day of the week to be the holy day for the men of the New. On it Christ rose from the dead, "the first born of many brethren," the New Man inaugurating the New Order. Other acts of divine selectivity also occurred, as we have noted—the further appearances of Jesus and his Ascension,<sup>5</sup> the choice of the Spirit and the Church falling with inevitable sureness upon the first day.<sup>6</sup> No one can view all this without seeing the creative touch of God ineffaceably stamped upon Sunday. The *Didache*, or *Teaching of the Twelve Apostles*, aptly terms it "the Lord's Day of the Lord."<sup>7</sup>

The part the Church played in selecting and sanctifying the day also lends to it a special distinction. On it Christian worship has always been held and always will be. Only one who lives in a heathen country can well judge how closely the day of the Lord and Christian

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worship are wrought together. Any missionary from the Orient can give illuminating insight into the difficulty of worshiping God in a land where there is no Sunday—a problem that has to do with the daily bread of the worshipers as well as with the place and time for holding worship. Even in our own land the practical effects of a broken Sunday are disastrous to the organized work of the Church. The Church's program and the Lord's Day stand or fall together.

Added to these spiritual considerations comes the imperative call of nature for one day's rest in seven. Even had there been no law from Sinai, this demand would nevertheless be found written in the biological constitution of man. Those who deny the religious value of Sunday cannot deny this imperative requirement. Nor can they meet it by providing some other unit of time for rest, as the French Revolutionists tried to do with their "decade" of ten days substituted for the week of seven. No such stretch-out system would meet the fundamental need of man, and the "decade" soon disappeared to take its place in the long roll of things-which-will-not-work. Biologically, man needs his seventh day if he is to labor efficiently on the other six. "Sunday is nature's law as well as God's," Daniel Webster put it.<sup>8</sup> Nature thus reinforcing religion makes it manifest that behind both is the same God who co-ordinated man and his rest at creation itself.

Such in brief are the Christian sanctions supporting the Lord's Day. That they are Christian should be kept clearly in mind. To be sure, Sunday may rightfully claim to have fallen heir to the timeless features of rest and worship first revealed through the Jewish Sabbath. Just as Christianity had its roots in Judaism so did Sunday have its inception in the Sabbath. But with all that



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the two days are not the same. They differ in kind as well as degree, and to allow our apology for Sunday to rest in any heavy way upon the injunctions of the Mosaic law will be to reverse the flow of Christian liberty. It will belittle and weaken the true Christian sanctions and will lay us open to the assaults of the Seventh-Day Adventists and all others who substitute the letter for the spirit. *Saturday is the Sabbath of the Old Dispensation*, and let those reverence it who feel bound to do so. But let those who confess Jesus Christ as Lord keep holy unto him and his Church and the world that day on which he rose from the dead and on which he rose to glory. "Stand fast," urged the Apostle, treating of much this same situation, "in the liberty wherewith Christ hath made us free."<sup>9</sup>

### III

THE next inquiry has to do with the practical present-day attitude toward keeping Sunday. Our highly articulated civilization has so revolutionized former habits and usages of life that it would be strange indeed did it not force a change also in the technique of Sunday observance. The Sabbath laws of the Jews, even the Sunday regulations and customs of the Christian era, were created for, and until recently were observed by, a loosely organized agrarian or pastoral people. This held true for centuries, and it is only recently that the entire background of life has been sweepingly reversed. A present-day church leader has called attention to this difference in a striking way.

In former days, as he states, people lived on farms or in little hamlets and were isolated from each other during the week. Thus it was that on Sunday the call to assemble at church provided an opportunity for con-

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versation and social interchange that was very agreeable. Nowadays people are jammed together during the week—they work together, they ride together, they punch the clock together; and when Sunday comes they wish anything but a continuation of the process. They long to get away from each other, and “far from the madding crowd” obtain a needed privacy.

Likewise, in former times labor was for the majority an outdoor affair, featured by sowing and reaping, and the rough, ruddy tasks of an agrarian community. Then when Sunday arrived, the call to come indoors for church was not unwelcome. Now labor is largely industrial, carried on within the walls of factory or shop; and as slaves to the present-day economic processes, people find themselves tied down to desk or bench or counter. Sunday now means a holiday, and they make a break for the great outdoors. A church interior is too much like that of store or factory to be inviting, and the insistent demand is for physical recreation and activity of an outdoor sort—all of which is enough to show that the intensity of the Sunday problem is directly related to changing conditions in modern life.

But over against the demand for a new technique in Sunday observance which these changing conditions imply, certain practical considerations stand out as stark and unmistakable as modern life itself. First and foremost is the inevitable result of taking Sunday solely for amusement or non-religious purposes. It does not greatly matter what reason or excuse lies behind the non-religious observance of Sunday; here is the inevitable result: *a forgotten Church and a forgotten God*. This statement can be affirmed as a certainty from a case study of hundreds of thousands of individuals. It

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is so uniform as to appear universal, and it is another instance of the truth that consequences have nothing to do with excuses. Whatever be the reason, good or bad, that lies behind the non-religious observance of Sunday; for those who willingly follow it out, God and his Church come to have little meaning.

A philosopher might object that this is not the result but the cause of the non-religious Sunday; that God and the Church are already forgotten when religious practices are ignored on Sunday. But this leaves the time element out of the equation and ignores the cumulative effect of the habitual in life. What we affirm here and what thousands of pastoral records prove is that when one who has been keeping Sunday, in however poor a fashion, ceases to keep it at all, something more than Sunday goes out of that person's life. Spiritual values of all sorts likewise are seen to have disappeared. Even those who on account of illness or Sunday employment are continually shut away from a definite religious observance of Sunday suffer far more than they realize, and often many of them must be added to the great number who have forgotten God. This is the practical result of an ignored Sunday and must be faced just as frankly as any "modern demands."

### IV

BUT the question, we may be reminded, is not one of doing away with Sunday altogether. It is: Can Sunday be truly kept when a portion of its time is given to healthful outdoor sport? The golfer who raised the original question quite definitely asserted that he had no idea of forsaking religious worship. He merely inquired if it were permissible for him to play golf as an amusement, outside the hours devoted to church.

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This is a much more delicate question. That there is a real difference of opinion on it was shown several years ago in a sharp controversy provoked by Bishop Manning, of New York. Speaking before the National Collegiate Athletic Association, Bishop Manning said: "I can see nothing inherently wrong with sport or recreation being indulged in on the Lord's Day, but under proper circumstances and with moderation. They have just as important a place in our lives as our prayers. It is my opinion that a beautiful game of polo, in its place, is as pleasing to God as a beautiful service in a beautiful cathedral. . . . We want both, but we want them in their proper proportions."

As soon as this pronouncement was made, the *Literary Digest*, scenting a chance to publicize a probable controversy, telegraphed a number of prominent ministers over the country, asking for comment on Bishop Manning's statement. Under the heading "Polo as Prayer" (January 23, 1926), the *Digest* printed the replies *pro* and *con*. Some agreed with the Bishop, some disagreed; nearly all made qualifying statements.

In general, the so-called liberal group, including some ministers then quite prominent, approved Bishop Manning's contention. Others made middle-of-the-road statements.

The Reverend Albert C. Diffenbach, editor of the *Christian Register*, said: "If the church would tell them [people] to play and build up their bodies, I believe they will . . . come to the sanctuary to pray"; while Dr. James G. Walsh, a writer on medical subjects in the Roman Catholic's *Commonweal*, supported Bishop Manning and recalled that during the Middle Ages the Sunday rule was "mass and play." All agreed that there must be no commercialism.



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Dr. Daniel Poling, then president of the Christian Endeavor Union and a leader in the Youth Movement, expressed himself as "dead set" against commercialized sports, but came out boldly for "healthful recreation on the Lord's Day by those who had no opportunity during the week." Dr. Poling argued that "a walk, a ride, a row, a swim—life in God's out-of-doors—may be altogether in harmony with One who said 'the Sabbath was made for man.'" He added this instance:

"Years ago I was called into conference by a distracted Y. M. C. A. Secretary who was directing a boys' summer camp on a beautiful lake. The lads from a great industrial city reached the camp late on Saturday evening; they were compelled to return to their work late on Sunday night. The camp rules provided that there should be no swimming, no boating on Sunday. A slight modification allowed the boys to bathe early Sunday morning, provided, however, they did not go beyond the shoulder line and did not swim. The Secretary in charge pleaded with tears in his eyes for the rights of boyhood that Jesus would not have denied. His Board was adamant, but I found that several of the directors used their new cars—and the automobile was then an innovation—to carry their families into the open air on Sunday afternoon. I knew them to be sincere, but surely they were mistaken. They strained at a high dive and swallowed a Rolls-Royce." <sup>10</sup>

All this was definitely "liberal," as the word was then understood, but it was not to go unanswered. The Fundamentalist group, then a clearly defined bloc, countered with a vigorous blast against "such a desecration of the Sabbath as is countenanced by Bishop Manning."

"It is impossible to believe that Jesus would endorse

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sports on the day of his resurrection," asserted Dr. J. Frank Norris, of Texas: "packed theaters, crowded golf courses, Sunday automobiling, have robbed the day of its sanctity and given us a continental Sabbath." Dr. John Roach Straton, of New York, added dryly: "There are no footnote exceptions to the Ten Commandments."

But the inherent weakness in the effort to approve Sunday sports while disapproving of Sunday commercialism provided a more obvious target. Dr. Clarence E. Macartney, of Pittsburgh, ironically observed: "If you can afford to join a golf club or country club you can have the sports you wish. But your brother must be forever barred from the ball park where crowds gather and men cheer." Even the non-sectarian *Newark News* noticed the inconsistency here. "You can't tell one man he can't watch professional games but can go to see amateurs play, or go to church and hear a concert by some paid musicians." This newspaper went on to say that both polo and golf require some one to work and that "no sport can be played on a large scale without causing some one to work"—which is no doubt true. But true or false, no matter how difficult it is to draw a line between the commercial and non-commercial, wherever that line is, all agreed that it must not be crossed. No one rightfully keeps Sunday who for his own amusement forces another to break it.

Another rule for judging Sunday amusements was laid down by Dr. Charles Stelzle in his comment on Bishop Manning's pronouncement: "Would the example to young people and others be injurious?" This is of course the principle of expediency cited by Saint Paul. "All things are lawful for me, but all things are

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not expedient." If certain types of Sunday conduct lower the ideals of others, or make it harder for another Christian to keep the day, then no true Christian will engage in such conduct without the utmost deliberation. However, it should never be forgotten that there is a deeper question than: *Is it expedient?* namely: *Is it right?* If certain patterns of Sunday conduct are really outworn, is anything gained by refusing to admit that fact? Christian liberty itself would never have been gained had there not been a successive scandalizing of the old and outworn in order that the new should be untrammelled. Those who keep Sunday today in sincerity are no worse off than were the Puritans who also kept it sincerely if much more ruthlessly. "Time makes ancient good uncouth," and if the living spirit demands needed changes, let no rule of expediency be invoked to impress life with the dead letter of an outmoded rule. Expediency is like a traffic light—meant to regulate progress, not to block it altogether.

### V

THE rule against commercialism and the rule invoking expediency are both to be respected in evaluating types of Sunday conduct, but there is something even more profound now to be considered, the psychic unity of man. "Men who use part of Sunday for sports," observed Dr. Joseph A. Vance, of Detroit, "are prone to use the whole day for them sooner or later, and this is nearly always at the expense of their spiritual development and usefulness." Dr. Vance cut to the heart of the matter. There is a gulf fixed between the sacred and secular in life, and that gulf cannot be crossed by any rapid transit from the church to the golf green. There is no physical reason why the man who

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attends church in the morning may not be found on the golf course in the afternoon—perhaps he is—but experience has long shown that the Sunday golfers are not the churchgoers, and the crowd packing the beach or bathing pool on Sunday afternoon has not been to church that morning. The Christian in the Sunday grandstand or in the Sunday night movie—even a half-way Christian—feels a sense of conflict and tension; he vaguely realizes that a line has been drawn somewhere, and not by himself.

But it may be objected that this is avoiding the question, that it is a mere appeal to a *status quo* which itself should be changed. If all Christians were to decide that it is right to golf or swim on Sunday, the atmosphere of golf course and bathing beach and polo ground would be Christianized by that much, and hence no tension as at present would be felt.

This may be admitted as a theory, but even so, the world as well as the Church has certain standards and instinctively claims some things for its own. "Whoever heard," exclaimed the *Raleigh News and Observer*, "of a polo player using the Sunday morning hour for the game who pretended it was spiritual exercise and as pleasing to God as service in a cathedral?"<sup>11</sup> This thrust goes home. There are many who outwardly praise broadmindedness, but there is a tinge of suspicion not unmingled with contempt when a clerical collar is seen in the Sunday grandstand. In spite of changing habits, there is a gulf between public Sunday amusements and the Christian conscience, and there is no way to straddle it. Whoever breaks Sunday at one point usually is found to break it at another; and whoever is minded to keep it is usually careful to see that it is kept in its entirety. "The *day* is set apart," asserted Dr.



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Wylie, of the Lord's Day Alliance, "not just an *hour* snatched from Sunday morning with minds set on amusement and frivolity." Morality is all of a piece.

### VI

THE entire discussion above shows the impossibility of drawing a definite line. "No one," observed a newspaper writer, "is wise enough to make a list of specific acts and label them (right) and another (wrong) and to require acceptance of these lists by everyone as tests of character and proper Sabbath observance."

This in general, however, can be affirmed: Since Sunday is a day of rest, there is an intuitive feeling that peace and quiet belong to it; work and tension do not. This vague impression itself seems to indicate something of a norm for the proper observance of the day. If we read aright the habits and practices of present-day Christian people, we find the boundary is usually drawn between the more strenuous exercises and sports and the quieter methods of Sunday observance. A walk through the countryside, a leisurely drive, a gathering of family and friends, with converse and the easy interchange of table-talk, reading, music of the less raucous sort—these and similar diversions seem to be approved by the Christian conscience. In fact, such patterns of conduct are necessary if Sunday is to be kept as a family day, sacred to man in his dearest relationships, as well as sacred to God. This rule would frown upon loud play and violent exercise, the wild ride, the afternoon air circus, etc. But here again whoever would follow such a boundary more closely will find its outline in many places nebulous and uncertain. We may be asked, for instance, what objection there could be to a quiet game of bridge on the back porch Sunday

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afternoon; or hear a fisherman say that he always takes care to keep quiet when he wades the trout stream! "Consistency makes ducks and drakes of current ways of Sunday observance," said the *Newark News*.

The one important rule is that the individual conscience shall speak in imperative tones upon every vexed problem of existence. That, as we can see to-day, now allows quite a bit of latitude in forms of Sunday amusement over what the past generation would have ruled. But as we have shown, laxity here invariably leads to a loss of other values. Let every person be fully persuaded that his own form of Sunday recreation shall fit him for the week; let him see to it that it does not block the right of any other individual to his Sunday rest. Its end is not to break but to heighten, not for one day but for all days, the spiritual overtone which is the supreme harmony of life.

## VII

THE personal morality that should prevail on Sunday thus being left to the Christian conscience, we next take up the civic and social implications of the day. How may a Christian in a land where religious freedom is a cornerstone demand that Sunday shall be kept and respected by non-Christians? We may as well admit that at no point have Protestant ministers and apologists shown to poorer advantage than when contending for Sunday laws. They either rest their case on the Fourth Commandment and naïvely assert that no law of God can be repealed by man—in which event they calmly assume that the Christian religion is and of right ought to be the law of the United States; or they rely on historic Sunday laws, which can be repealed, and often are, when the Church insists that

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they shall be enforced. Both assumptions are weak. The first is laughed out of court; the second is smashed by legislative or city council action.

But here is what can be contended in court or in the public press: Sunday is, humanly speaking, the creation of the Christian Church, and as it was presented to the world by the Church, the Church has a guardianship over the day—an equity in it, if we may use a legal term. It is her day, her creation; and the laws of all Christian countries make clear the fact that this, the Church's gift, has been a blessing to the world at large. The Church, with no apology at all, may claim a definite right to protect and preserve a day so peculiarly her own.

Not only so, but as the Church's own life is intertwined with the proper observance of the day, the Church may also claim a civic protection for her rights here in line with the highest justice. It is this fact, belonging not to religion, but to simple equity, which gives the Church a chance to plead her own cause.

Furthermore, besides claiming a properly respected Sunday for herself, the Church can champion it as a day of rest for every man. She can assert, as did her Founder, that the Sabbath was made for *man*—not man individually, but man collectively. It was made not for *a man* and not for *men*, but for MAN generically—man white and man black, man ancient and man modern, man rich and man poor—for him this day was made, and to allow it to be denatured or taken away from a single individual by a larger group is a direct violation of a fundamental right. The police would not think of allowing four men to assault another at some isolated camp simply because the majority of the group, voting four to one, decided to do so; the state would

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not allow the overwhelming majority in a city to vote to divide the property of a few wealthy men on the principle of "local self-government." Yet the American city and state are allowing today the Sunday rights of many individuals to be taken away by majority vote simply that the pleasure of others shall be thereby served. It is this truth which the modern Church can blazon forth and become again the champion of the rights of the individual man.

And the courts will often prove sympathetic. The Supreme Court has said: "Laws setting aside Sunday as a day of rest are upheld, not from any right of the government to legislate for the promotion of religious observances, but from its right to protect all persons from the physical and moral debasement that comes from uninterrupted labor." <sup>12</sup>

A worldly-wise writer in the *Atlantic Monthly*, a gentleman who disclaimed any religious bias on the subject, put it this way:

"When this country at last falls into line and accepts the idea of a dictatorship, when politicians, bankers, economists, finally throw up their hands and ask me to take sole charge of affairs, one of the first things I shall do will be to revive the old-fashioned Sunday . . . because the old-fashioned Sunday is the best device ever evolved for restoring poise and judgment to a fidgety world." <sup>13</sup>

Another practical aspect of the matter can be stressed: Sunday as a legal rest day is in danger of its very existence when its spiritual values are nullified. In those lands where there is great laxity in the religious observance of Sunday, there is always an equal laxity on the part of governmental and financial interests in



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respecting the common man's share in the day. During the last century, in Prussia, where Sunday had become a perfunctory non-religious holiday, workmen found it necessary to organize to protect themselves against exploitation on Sunday. The holy day having become a holiday, their economic lords and masters felt much less compunction in overriding it. If a workman treats Sunday as no more than a day for his personal pleasure, why may not his employer treat it as one for *his* pleasure and so keep the laborer working for him? The question is suggestive. When religion is taken out of Sunday, the soul has gone out of it. The American state cannot admit that fact, but life proves it. A commercialism that will batten itself on the Lord's Day will have small compunction in overrunning a man's rights—and the Church should stand forth and say so.

. . . . .

About the golfer and about the golf question? O yes! His pastor, having considered all things, advised against his Sunday afternoon golf game. God forgive him if he did wrong. What do you think?

## CHAPTER TWO

### WHOM HATH GOD JOINED?



*A study of marriage and divorce  
and remarriage.*

THERE is a hush in the big packed church; the wedding is almost over. Troth has been plighted, the ring given and received, the prayer ended. The vast assembly, caught by the spell of the majestic service, is reverently attentive, and a deep quiet ensues. Bride and bridegroom with their attendants posed *en tableau* await the minister's next words.

"Join right hands," he commands. Then in firm authoritative tones the representative of the Church says: "*Those whom God hath joined together, let not man put asunder*"—and so they are married.

But did God join this particular man and this particular woman? There are some who doubt it. The man in question was a wealthy roué, eaten up with an unmentionable disease; the woman a social butterfly who had lived up to that moment with no thought of God. Why bring him into this wedding when he had no part in either life before it and will have no part in the joint life afterward?

Whom does God join? Every frivolous, gum-chewing boy and girl who runs off to the nearest Gretna Green and gets married? Youth and maid, swept by a summer infatuation, with passion mistaken for death-

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less love? Every farmer's daughter married off, loveless and forlorn, to the likeliest swain in her rustic neighborhood because, forsooth, he can "support" her? Are all these united in a holy estate because they made certain promises each to the other and because "in the beginning God created them male and female?"

Idealism and Christian hope say "Yes." Experience and Life say "No." One out of every six American marriages ends in the divorce court. A vast number of others have been broken in spirit if not in actuality. Boys' academies and girls' boarding schools often afford the only refuge for the children of divorced parents—fragments, they truly are, of broken homes. Judges, ministers, and social workers stand aghast, while the domestic relations court is running full blast in many cities. Divorce is writing in larger and larger letters its question mark over the nation's sky; and heated discussions in press, pulpit, and forum set forth a variety of views as to what should be said and done.

From one side comes the uncompromising statement of the Roman Catholic Church, making clear a position that perhaps has never been better stated than in these strong words of Cardinal Gibbons:

"Marriage is the most inviolable and irrevocable contract ever formed. Every human compact but this may be lawfully dissolved—nations may be justified in abrogating treaties with each other, merchants may dissolve partnerships, brothers will ever leave the paternal roof and, like Jacob and Esau, separate. Friends like Abraham and Lot may be pledged to part company; but by the law of God, the bond uniting husband and wife can be dissolved only by death. No earthly sword can sever the nuptial knot which the Lord hath tied." <sup>1</sup>

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But against this viewpoint there is another: that a certain percentage of marriages will always be failures, and that the remedy for a bad marriage is a divorce—perhaps re-marriage elsewhere. The bitter words of a North Carolina minister will serve to champion this view:

“Ministers who shrink in holy horror from remarrying persons who have been righteously divorced do not hesitate to unite with the known libertine or confirmed drunkard, the pure and innocent girl, and when she dares to break the sacred chain by which they have bound her to this polluted body of death, they brand her with disgrace, and refuse her the poor consolation of washing her soiled hands in the holy water of the church. Religion! What crimes are yet done in thy name? How long shall we continue to strain at gnats while we swallow camels? In the sight of God . . . divorce is purer than unholy wedlock.”<sup>2</sup>

To the same end wrote the Infanta Eulalie of Spain during the last century when she found herself bound in a hopeless marriage by the iron laws of the Catholic Church:

“It is not just to keep those bound closely to each other who no longer can live together. . . . Should beings live together for long years when their thoughts and their bodies are strangers? What slaves of marriage are those whose relations have ceased to be normal, whose contact is sterile and invalid and inlaid with hate? . . . The enemies of divorce insist that it is the destroyer of the family. That is untrue, for the family no longer exists, judging frankly and sincerely.”<sup>3</sup>

No one can read these words without hearing through them the cry of a broken life. Neither can one



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read the august pronouncements of the churches nor study the marriage laws of the state without seeing that these are set to defend and preserve an Institution which itself carries the happiness and hopes of mankind. Ethically, the irresistible force seems to be crashing into the immovable mass when the subject of divorce is broached.

### I

WE now recur to our original question: Whom does God join? All, even non-Christian people, will admit that where God has really and truly united man and woman as husband and wife, no power on earth should be allowed to break that bond. All, even the most rigid sacramentarian—the Roman Catholic Church itself, for that matter—will hold that where God has *not* united a man and woman in holy matrimony, any pretended union between them ought to be broken with no hesitation at all. Evidently, then, the whole matter hinges on God's part in the transaction.

“What is marriage in the mind of God?” asks Maude Royden.<sup>4</sup>

The utter impossibility of answering that question by any system of objective measurement can be made clear by reviewing the various possibilities which may be cited as constituting marriage: God truly joins man and woman when a certain formula is used at their wedding; or God truly joins man and woman when marriage is consummated by the physical union of the two; or God truly joins man and woman in marriage by virtue of the contract they make each with the other, and their subsequent “living together.” Let us look at these statements.

No one would seriously contend that any special

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form or ceremony is necessary for the spiritual validity of marriage. Even the Roman Catholic Church, which considers matrimony a sacrament, does not tie it down to a special formulary, and under certain circumstances holds that it may be valid even with no priest present to bless it! Protestant Churches are even more liberal, and whether the service be "any words in the present tense" before a Society of the Friends, or the stately ritual of the High Church Episcopalian, no one higgles over the ceremony. All agree that God's "joining" does not inhere in any special rite.

Neither can it be seriously contended that the physical consummation of marriage constitutes the indissoluble tie between man and woman. If so, the usual ministerial words do not so indicate. "Those whom God *is going to join*, let not man put asunder" should then be the formula.

"The physical union itself cannot constitute marriage," said Maude Royden, "or many would have been mates. It is true that I have heard it seriously argued that the first sexual connection is marriage, and that such a marriage can never be dissolved. When I pointed out that if this were so, a woman might find herself married to a man who was not married to her, and *vice versa*, I was assured that this was undoubtedly the case and 'made no difference to the facts' <sup>5</sup> . . . but if we are to avoid this terrifying conclusion, how are we to do it?"

Certainly not by relying on the crass objectivity of physical contact. Miss Royden is correct in pointing out that many uncritical persons do think of the physical consummation as creating the bond that seals marriage forever in the mind of God. But this is to take one aspect of marriage for the thing itself. Sexual

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union may indeed seal and glorify in its degree the true marriage of man and woman, and often does; but sexual union has taken place times without number when the very thought of God as involved would be an affront to His Holy Name—sometimes even after outward matrimony. Because man and woman possess each other's bodies is no sure sign that their souls are likewise joined. This whole theory collapses unless it be seriously contended that the physical is superior to, and has the power to bind, the mental or spiritual aspects of matrimony. This no reasonable person can believe. That an animal act can irrevocably join two souls in the mind of God for all eternity is a contention that is a travesty upon man and God.

Does marriage inhere in the mutual vows and pledges of the two parties, so that these once given create a divine contract, one that in God's view must never be abrogated? This theory, as it recognizes the spiritual factors in marriage, is closer to the truth than the other alternatives mentioned. Nevertheless, in effect it ties God willy-nilly to a special form of human agreement and claims sanction for each and every marriage contract without paying any attention to the spiritual attitudes or aptitudes of the contractors. Since many marriages *do* prove mistakes, even where vows or promises are made in all sincerity, is it conceivable that the God of Wisdom could really have joined the two?

Many will indeed take their stand here and refuse to yield a point further. They will say: "It is true, marital mistakes are often made, but a marriage is a marriage even though a couple has been misled or foolish. The vows were solemnly taken, the ceremony was performed, the couple lived together. They are now married in the sight of God and man, and mistake or

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no mistake, 'those whom God hath joined together let not man put asunder.' "

But the implications of this answer are seldom frankly faced. To hold that God Almighty is actually a party to every tragic and foolish marriage means that either he is as ignorant as each unhappy couple proves to be or else he is the knowing abettor of a ghastly mistake. Either alternative is unthinkable, not to say blasphemous.\* God can *not* be considered as necessarily involved in matrimony by any outward circumstances or combination of circumstances. Who will dare say that he is?

Here, then, we have examined each theory that attempts to posit marriage in some outward form or objective act. Each has collapsed when its full implications are faced. Marriage is in essence a *spiritual*, not merely a *physical* relationship. Failure to see this is at the bottom of much loose thinking on the subject. The subjective side of marriage, incommensurable as it is, is the real side.

It should be made clear, however, that marriage, even marriage ordained by God, has an objective side without which marriage itself could scarcely exist. Some outward rite or form of mutual avowal—perhaps the physical consummation—these circumstances may *condition* marriage, even Christian marriage. But that they *constitute* it must be denied. Such acts are neces-

\* There is no escape from this dilemma by saying that mistaken marriages should be classed, with other inexplicable ills, under the Problem of Evil. The Problem of Evil asks how a good God can permit evil to happen in a world which he controls. But the theory that God sanctifies every marriage goes far beyond mere *permission* on his part, and insists on his active participation. The consequences of so holding are pointed out.



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sarily present in every valid marriage, but *they are not that valid marriage* itself. This is a distinction that is not often drawn in practical thought, but is vital to a clear understanding of the whole subject.

### II

FAILURE to see the spiritual basis of marriage or to allow for its full implications underlies much of the confusion regarding marriage in the modern Protestant mind. We live in a land where marriage has been completely taken over by the civil power. Couples to be united seek a state license. They go to a state officer to "have the knot tied." Even when they secure a minister, that official is, in view of the state, simply a special sort of officer empowered to execute a special sort of contract. If later a divorce be desired, the couple again goes to the civil authorities or courts. In every event it is the outward objective status of the couple, and that alone, in which the state is interested. The spiritual, that is, the divine element, may be the most important in marriage, but the state takes no notice of it at all, and indeed cannot. If a man and woman are duly qualified under a particular state's laws, and seek a license to marry each other, what right has a clerk of court to ask them regarding private intent or any other question having to do with their moral or mental relationship? None whatever! When subsequently the license comes back to the civil clerk with the certificate of minister or magistrate declaring that the couple has been joined in matrimony, thenceforth in the eyes of the state they are married, and there's an end to it. They may have been married under secret compulsion or through misunderstanding, but they are "legally" married. Dealing only with the objective

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and outward aspects of all this, the state holds, and will continue to hold, the couple as married unless and until death or divorce intervene.

Present-day society easily falls in with this arrangement, and thereby brings about a rather anomalous situation in certain places today. Because there are various civil jurisdictions among the nations of the earth—and in our land among the separate commonwealths—we often discover a strange marital lawlessness here. Persons legally divorced in one state are legally married if they shall go to another, and *vice versa*. A “Mexican divorce” may have no standing outside Mexico, though it proves popular with a certain type of Americans who goes there.

“The great American public,” wrote Willing Poltray,<sup>6</sup> “is now engaged in shutting its eyes, its mind, and even its nose to the gap between our divorce laws and our divorcing.” The same writer called attention to the fact that while Parisian divorces are not legal in the United States, society at large acts as though they are.

It is easy to see how the great mass of the American people, following the course of least resistance—the drift of convention and the law of the land—accept the marital ordinances and enactments of each respective state as final and authoritative. Likewise, though with more difficulty, it can be understood how the Protestant churches in America have quietly and uncritically come over to this view. The marriage laws of all the nations of Christendom are, after some fashion at least, in line with the timeless sanctions which religion in every age has insisted should be put upon marriage. The state’s laws do protect and defend marriage in practically every one of its basic rights. And it may

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be admitted that those couples who marry in good faith in accordance with the laws of their respective lands, may, for all practical purposes, be taken as married in the sight of God, unless something clear and definite appear to the contrary. But that this is the case *every* time in *every* marriage is what is to be questioned, and what the writer insists must continue to be questioned.

As it is, the Protestant churches take every married couple as truly "joined together by God," whether the wedding was celebrated in Kalamazoo or South Carolina, by a ship's captain or a playboy mayor. No questions are ever asked about each new Mr. and Mrs. who move into any community as to "how they got that way." Even a common-law marriage, which is not legal in many states, finds some defenders among church people. These allege that when a man and a woman have lived together as husband and wife for many years, and have been "true" to each other, their originally unhallowed union is as valid in the sight of God as are those blessed by bell, book, and candle—and perhaps it is. Here, as elsewhere, the Church as well as the world is inclined to recognize a *de facto* status as genuine.<sup>7</sup>

But the whole scene is changed when the marriage is broken or pronounced broken by the state. Every marriage may be taken at its face value, but not every divorce. Those whom the state joins do not greatly concern the Church in ordinary practice, but those whom the state puts asunder do; and when one who has been pronounced divorced by the state comes to the Church seeking the sacraments, or seeking remarriage, the situation often becomes tense. Then it is that the Church, through its minister, bishop, or proper

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authority, must decide what is to be done about such a divorced person.

In this contingency several courses are open:

(1) *The Church may take the state's divorce as just and final.* This is scarcely ever done, as all recognize that the state has neither ability nor power to pass on the spiritual aspects of marriage.

(2) *The Ecclesiastical authority may refuse to touch a divorce case at all.* Some ministers adopt this course with respect to re-marrying divorced persons. It is, however, tantamount to washing one's hands completely of every divorcee, unheard or unseen—a process which scarcely commends itself to the Christian conscience. Where a divorced person comes seeking the ordinances of the Church, this course is not possible, as something must be decided one way or the other.

(3) *The Ecclesiastical authority may rely upon the law and practice of his particular church,* with no attempt to defend the law nor to examine deeply into each special situation. This is the course commonly followed. It furnishes an easy, objective standard which can be applied directly to each case as it comes up, and saves the minister or bishop from trying the case in its specific and unlovely details. It has the disadvantage, however, of ignoring the particular difference which may be inherent in each separate situation, and assumes an equality of persons and conditions that is not really true to life.

(4) *The case can be tried by the Ecclesiastical authority on its own specific merits.* This calls for a thorough understanding of Christian principles—the teaching of Jesus, the injunctions of St. Paul, the development of ecclesiastical law—and their application to



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the particular case at issue. These principles and their development will now be examined.

### III

MODERN life with its emancipation and economic independence of women has certainly intensified the divorce problem, but divorce itself is almost as old as humanity. Never were men more interested in it than were the Jewish people at the time when Jesus lived on earth.<sup>8</sup> It was one of the burning questions of the day, and two opposing rabbinical schools were carrying on a heated controversy over it. The followers of Hillel, resting their case largely on Deuteronomy 24: 1-2, taught that a man might divorce his wife "if she find no favor in his eyes." In effect this meant divorce for any more or less trivial cause, of which the man himself was the judge. Over against this lax view, Shammai and his school stood flatly on the other Mosaic injunction, allowing divorce for adultery only, a sin which itself carried the death penalty, thus making adultery practically equal to death in breaking marriage.

The controversy between these opposing camps will give a clearer conception of what lay behind the question asked Jesus: "Is it lawful for a man to put away his wife for every cause?"

Was Hillel right or Shammai?

But Jesus would not be drawn into a bitter partisanship. Rather than decide between rival opinions, he at once lifted the whole matter to a higher plane. "*And he answered and said unto them, Have ye not read, that he which made them at the beginning made them male and female, and said, For this cause shall a man leave father and mother, and shall cleave to his wife:*

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*and they twain shall be one flesh? . . . What therefore God hath joined together, let not man put asunder."*

"Why did Moses then command to give a writing of divorcement, and to put her away?" was the next question.

"Moses," said Jesus, "*because of the hardness of your hearts suffered you to put away your wives: but from the beginning it was not so. And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery.*"<sup>9</sup>

These words of Jesus—and kindred passages as found elsewhere<sup>10</sup>—have been scrutinized and studied with an intensity that has scarcely been applied to any other of his teachings. Scholars by the score have wrought over their Greek, guessed at an Aramaic original, and divided hopelessly on the correct interpretation. Giving due weight to all critical questions having to do with the text, however, and collating and comparing the various opinions, we must grant it to be generally admitted that Jesus did forbid divorce, save for the cause of adultery (*pornios*: sexual sin generally). Mark and Luke quote Jesus here as allowing no exception at all. Only Matthew has the "saving for the cause of fornication" clause. Nevertheless, Protestantism generally has taken Matthew's account as the guide. Divorce, of course, was treated solely from the standpoint of a man putting away his wife, as there was no such thing among the Jews as a woman's right to divorce a man.

So much for the actual pronouncement of Jesus as the Gospels give it. To interpret it satisfactorily is something else. Some assert that Jesus here was simply taking sides with Shammai in a matter of Jewish law,

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and was in no way attempting to lay down a rule binding on men everywhere. John Milton, for instance, said that "a few casual words of Christ upon a Jewish custom submitted to him were not intended to form a legal code binding on English people."<sup>11</sup> Others contradict this view flatly and declare that the very thing Jesus intended to do was to proclaim a universal law, basing it squarely on the original male-female creation of God. Still others take the position that Jesus was here speaking of an ideal society, not yet reached nor to be reached, and that he himself judged that because of "hardness of heart" divorce must perforce be permitted, though "in the beginning" (*i.e.*, in the ideal society) it was not so.

Thus it is seen that although we have here an *ipse dixit* of Jesus, unequivocally spoken, a variety of interpretations are possible, or at least have appeared in explanation of it. And the very first one to put a somewhat different interpretation upon this matter was that apostle who is universally held to be the best interpreter of the mind of Jesus—Saint Paul himself.

### IV

SPECIFICALLY, Paul wrote concerning a situation in Corinth, an overwhelmingly pagan city, where Jewish laws and customs were practically unknown. Instances of desertion and divorce had evidently been occurring in the little Christian community there. Believers were yoked to unbelievers, and this intensified the domestic friction in divided homes. What was to be done about it? The Apostle wrote and told them.

The Pauline injunctions are unique in that the writer takes pains to make a distinction between his own private opinion and the direct command of the Lord.

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Some things Paul says he speaks "by permission," some by revelation, and others by using his own common sense: "*And unto the married I command, yet not I, but the Lord, Let not the wife depart [desert] from her husband: But and if she depart, let her remain unmarried, or be reconciled to her husband: and let not the husband put away [divorce] his wife.*" For these words the Apostle very definitely claims Divine sanction. Either he was quoting some lost *logion* of Christ, or he had received direct inspiration in this matter.

"*But to the rest speak I, not the Lord [a personal opinion]: If any brother hath a wife that believeth not, and she be pleased to dwell with him, let him not put her away. And the woman which hath an husband that believeth not, and if he be pleased to dwell with her, let her not leave him. For the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the husband: else were your children unclean; but now are they holy.*

"*But if the unbelieving depart, let him depart. A brother or a sister is not under bondage in such cases.*" <sup>12</sup>

This last verse is very significant as showing that Paul was writing for believers only. He had no message, certainly no ethical rule, for non-Christian persons.<sup>13</sup> The command that a wife was not to desert her husband, and if she did desert, to remain unmarried, was one for *Christian wives*; the command forbidding a husband to divorce his wife was for *Christian husbands*. "No passage in Paul shows more clearly the sharp distinction between the saint and the unbeliever," observes Dr. Morton S. Enslin. "What the unbeliever did was not the business of the Church." <sup>14</sup>

This last is a very important matter for the modern



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Church to remember. The divorce statistics that appall us today are in the overwhelming majority of cases among the non-churched, and presumably the unbelieving. That they with their frequent divorces and the attending publicity create an atmosphere that assists in making for a divorce-minded society among Christians as well as among non-Christians is of course admitted, and to that extent the Church may well be concerned over the "marriage revolt." But that the Church today should press its marital standards upon an unbelieving world any more than it does any other of its broken precepts is not so evident. Should the Apostle see the Church's concern for the vast number of divorces in modern life today, he would probably recall us to the main issue by saying: "Why fret yourselves so greatly over one mistaken act of these people? See you not that their whole life is a mistake? Be concerned over their lost souls, not simply over their broken marriage vows. Save their souls and you shall save their marriages!"

One thing, however, Saint Paul wrote which has had great influence on subsequent Christian thought on this problem: The Apostolic counsel, "*if the unbelieving depart, let him depart,*" was taken to mean that *desertion* as well as *adultery* might break a marriage, since "*a brother or sister is not bound in such cases.*" That was the view of it which many later commentators took and to which certain modern denominations have held.

## V

Just as Saint Paul seems to have laid down a somewhat different regulation for Christians living in a Gentile community (Corinth) from that which Jesus gave to

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the Pharisees in a Jewish one (Palestine), so Christians in succeeding ages have often felt that marriage must be judged in the light of more rules than one.

The Church of course early assumed a guardianship over marriage, as religion has done in every age among every people. This worked well as long as the Christian community was small, its members tried and tested. But when Christianity became dominant in the Empire and undertook to become responsible for the whole social and political life of Christendom, then its far-flung protectorate over marriage brought a flood of complications. The distinction between believers and unbelievers, which the Church once tried to draw, broke down in actual fact; and this accentuated the problem when those who were pagans at heart flouted their marital vows. As time went by, an enormous mass of ecclesiastical law began to grow up around the marriage institution. At length matrimony was made a sacrament by the Church, and so the capstone of its vast social and moral meaning was formally dropped into place. All subsequent attitudes toward marriage in what are today known as Christian nations are to be understood in the light of this truth.

The theory of marriage which the Roman Catholic Church developed through the years is extremely interesting, as it is a reasoned attempt to provide a norm for marriage which is both subjective and objective.

Championing the spiritual essence of matrimony, the Catholic Church holds it to be both a contract and a sacrament. It is a divine contract, says the Catholic, because of the original creation of man and woman in the Garden of Eden; and each man and woman who is free to contract marriage has the natural power to form indissoluble union. If the man and woman, either or

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both of them, are believers—that is, if they have been baptized—their contract when blessed by the priest is elevated to the status of a sacrament. The whole thing hangs on the capability of the man and woman to constitute the marriage contract and receive the marriage sacrament. The presence of a priest is desirable, but not always necessary. There are even instances where the Catholic Church allows the marriage sacrament to be established between a man and woman when no priest is present.<sup>15</sup> All this very definitely recognizes the fact that matrimony is a spiritual status, and to that extent all will support the Catholic view.

But when the Catholic asserts that the Sacrament of Matrimony can be formed only between believers, and goes on to lay down a definition of believer which is as crass and crudely objective as it can possibly be, Protestants recoil at once. To the Roman Catholic, a *believer*, with reference to receiving the Sacrament of Matrimony, is a baptized person. If a person has ever been baptized by the apostolic formula (“In the name of the Father, and of the Son, and of the Holy Ghost”), then, ever after, whether that person be white or black, Protestant or Catholic, rich or poor, he or she is able to receive the Sacrament of Matrimony. If a person has not been baptized, he or she is an “unbeliever.” These unbelievers may indeed form a natural contract between themselves—one which in the eyes of the Catholic is forever binding upon them in this world—but their marriage will not be a sacrament. Naturally, Protestants shrink from the crass objectivity of the baptized—non-baptized test here; and while they will agree with the Catholic in his championship of marriage in its spiritual essence, they will never admit that the

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mere performance of the rite of baptism over an infant makes him or her ever after able to marry as a Christian.

Protestantism in truth has never formulated a well-wrought philosophy of Christian marriage. Perhaps in its divided state it will never be able to do so. It does, of course, insist on the principle of *permanence* in every true marriage; and any union which is entered into by one or both parties with the idea that it is to be but a temporary arrangement is branded at once as no true marriage. But here again the realm of intent comes into play, and that, of course, is undiscoverable. Marriage still remains incommensurable, and by its own postulates Protestantism cannot draw a line and say unequivocally who is truly married before God and who is not.

In a formal way the Reformed Churches do of course hold marriage to be a high and holy estate, though they do not consider it a sacrament, as they do Baptism and the Supper of the Lord.<sup>16</sup> It is, however, regarded as something more than a mere "allowable" estate, and matrimony worthily undertaken may be termed sacramental in the sense of an estate which is sacred by virtue of its transcendent importance in the individual life. It is not, however, to be equated with either of the two sacraments instituted by Christ.

The Reformed Churches also allow the practical validity of civil marriages. They have never manifested any tension over these, as does the Roman Catholic. They recognize the fact that the state itself is vitally concerned in marriage, as its very existence depends on the families of its people.

But that Protestantism is beginning to notice the incongruity of assuming that every marriage is a "Christian marriage" is made clear by the expressed



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views of several recent writers. These suggest that the Church go back to the "publishing of the banns" and assume complete control over marriage again if it is to be truly responsible for it. "I believe with Findlay and Dean Inge," states Dr. E. Stanley Jones, "that the only honest thing for the Church to do is to refuse to perform marriages except between its own members, or at least between those who are prepared to make an open confession of faith, and then to insist that the marriage thus entered into should be indissoluble except by death." <sup>17</sup>

This proposal may be acceptable as a theory, but it is almost impossible of achievement in a land where church and state hold a dual control over life. Granting that the Church might refuse to celebrate any wedding where the parties are not "believers," what church or churches can define what a believer is? Would an evangelical Baptist pastor consider a young Unitarian couple who had been married by their pastor to have been "Christianly" married? What about those married by a justice of the peace? Would they be "really" married in view of the Church; and if there is a subsequent divorce and a remarriage is sought, may the Christian pastor take the position that such a person was not "truly" married before? And what of children of such marriages? All this indicates something of the tangled situation which would develop should the Church attempt to recognize no marriages but its own.

"The Church in a free state cannot insist on the right to be represented at every wedding," states Dr. Newman Smyth.<sup>18</sup> This is true, and Protestantism in our land makes no mistake in allowing the state to license couples, register all marriages, and provide for non-religious marriage where this is desired. Where

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Protestantism fails in its naïve assumption that though the Church may not be present at every wedding, God always is. The impossibility of holding that position has been made clear. "Many of the marriages now performed in the Christian churches are not Christian in anything but name," says E. Stanley Jones.<sup>19</sup>

## VI

THE underlying principles and development of the Christian doctrine of marriage and divorce having been outlined in a general way, it remains to examine the application of these principles to special cases as these arise. Since there is no well-wrought body of ecclesiastical law which may be regarded as binding upon the several Protestant communions, it will be necessary to refer to the regulations and traditions regarding marriage as followed by the more ancient churches. These regulations and their application have at least an advisory value. Certainly they show how other Christians have decided when confronted by marriage and divorce problems. Protestantism to date has paid surprisingly little attention to this whole matter, and thereby has played directly into the hands of a state and a society which never see beyond the earthly conditions of marriage.

If we follow the ancient churches here, the first question that comes up in connection with any divorce is *whether or not the original marriage was valid*.

The pending question is not, "*Is this divorce lawful?*" but, "*Was the original marriage (which this divorce breaks) lawful?*" For the Church early learned that there may exist hidden bars to true marriage which make that marriage itself impossible, or contrary to law. These impediments have been carefully catalogued by

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the ancient ecclesiastical authorities. They may be listed and discussed as follows:

1. Those that make marriage impossible.
2. Those that make marriage void (from the beginning).
3. Those that make marriage irregular or contrary to law.

1. Under the first head the ancient Church held *impotence* to be a bar against true marriage since that makes it impossible. But if impotence occurred after marriage it was regarded as an accidental evil and could not be pleaded in any suit for divorce. "Impotence undisclosed to the other party" is the way the Protestant Episcopal Church today lists this impediment. Where proof of it can be established, the Canons of the Protestant Episcopal Church pronounce a non-marriage and allow annulment.<sup>20</sup>

2. Marriages void from the beginning included those between persons who were within prohibited degrees of kinship, etc. The medieval Church catalogued the forbidden degrees of consanguinity very carefully, and as long as she had complete control of marriage scrupulously enforced her laws. But as present-day civil laws have superseded Church regulations, and as they rather carefully supervise this aspect of marriage, no more than a mention may be given it.

3. Impediments that make marriage irregular or contrary to law furnish a much more indeterminate field. The more important ones are:

*Error*, which includes deception (self-deception?) on the part of one or both parties. Just how gross such deception may be, or how much weight should be

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allowed to each instance of it, is a matter that must be decided on the merits of the case. Error, of course, may be very broad in its significance and so be made the excuse for all manner of laxity. A fraud concerning age, for instance, or the financial status of one of the parties would scarcely be held sufficient to nullify a marriage. But a deception that cut so deep as to destroy the very basis of self-respect between the persons and cast a shadow over all subsequent life might do so.

The writer knew a case where a young man obtained a civil divorce after his bride of two days brought to him an illegitimate child of whose existence he had been entirely ignorant until then. The woman's carefully premeditated deception was such a gross affront to the sacred trust that must be at the heart of marriage that anything like spiritual affinity between the two was broken forever when the callousness of her deceit came home to the man. He left her on the instant; and the subsequent divorce was, in the writer's opinion, entirely justified.

*Mistaken identity* is listed in ecclesiastical law among the causes that nullify a marriage. It, too, may be included under the broad head of error; but as it is a very rare occurrence, no further attention need be paid to it.

*Failure of either party to have reached the age of puberty* invalidates a marriage *ab initio*. The state's regulations here can usually be relied upon, though couples often swear falsely as to age. In the rare instance where one party to marriage has not reached the age of puberty, and the state later allows a divorce or sentence of nullity, it would seem that the ecclesiastical



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authorities likewise might decide with good will that no marriage has ever been had.

*Insanity* of either party will void a marriage from the beginning if it can be proved to have existed *when the marriage was celebrated*. In that event it can be decided that the mind of the insane party was not able to assume the contract. Insanity that occurs *after* marriage is something else. It will be considered later under divorce.

*Crime* may invalidate marriage if it is of such nature as to destroy all love and confidence and respect. This likewise is a matter of degree. In all cases the married partner's knowledge or ignorance of the other's crime is to be taken into account. A woman who knowingly marries a criminal or condones his acts can scarcely plead these against him later.

*Lack of free consent* will void a marriage, and so will proof that one of the parties to the marriage is already married to a living husband or wife and undivorced. The state will usually grant a divorce or dissolve marriage for either of these causes. It would seem to be a good rule for the Church to act as though no marriage was ever had where these conditions can be established to the satisfaction of a civil court.

To the ancient bars to marriage, the Protestant Episcopal Church has within recent years added another: *The existence of venereal disease in either party*.<sup>21</sup> This is something new in ecclesiastical law, and while it can be defended as a good rule it is open to attack on the ground of a certain inconsistency. A bridegroom who has led a most immoral life but has contracted no disease therefrom may be approved for marriage, while one who is diseased will not be. Hygiene rather than morality seems to be the norm here.

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These in general are the chief impediments which the older churches bring forward as bars to true marriage. When applied to a special case and proved to exist, they act, not as a divorce to disrupt a real marriage, but as a *declaration* that there never was a marriage to break. Divorce and annulment are often very much confused in the state's view, but the Church attempts to look beyond the particular type of parchment which the state issues, to the facts as they are. The Roman Catholic and Protestant Episcopal Churches follow a very definite system of procedure here, but some other denominations make no attempt to differentiate between annulment and divorce. This has sometimes worked an injustice against divorced persons.

The writer knows of a young minister whose wife divorced him because he proved to be impotent. The Roman Catholic or Protestant Episcopal Churches, wise in their ancient regulations, would have held that he had never been married at all and would have granted him an annulment. But in the view of his own evangelical denomination, he was a "divorced man" and was forced from his pulpit. Such instances are rare, but let it be emphasized again that in all divorce cases the Church authorities must first examine the validity of the original marriage before passing on the divorce.

## VII

WHEN once the validity of a true marriage has been established—and we do not minimize the difficulty of this process—then the question to be taken up is: What may be allowed to break marriage?

It is generally agreed that no outside authority has such power. Only the parties to a marital contract are themselves able to disrupt their mutual status, and

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that by their personal acts or attitudes. All that state or church may do is to recognize such a broken status when it takes effect, and so grant a divorce. The divorce itself does not sever the matrimonial tie; it merely announces that it has been severed and gives social and civil effect to the break.

The question then arises: What act or attitude on the part of the persons involved suffices to break the bond that the Church has blessed and the state has recognized?

An uncompromising answer comes at once: *Adultery*—an act of unfaithfulness and treachery toward the marriage bond itself. Catholic and Protestant both agree here, and although their proposed remedies differ, their diagnoses do not. The words of Jesus as St. Matthew gives them are quoted in support, and the Church has always followed the implicit assumption that seems to underlie the “saving for unchastity” phrase of Jesus. Everywhere it is conceded that the admission of a third party by one of the others to the exclusively mutual status of the marital contract, at once destroys that contract itself. This is absolute in all jurisprudence, sacred and secular.

But this rule has not by any means been unchallenged. That a mere fleshly act alone can destroy what is in essence a spiritual contract is considered irrational by many people. In a memorable debate on the Matrimonial Clauses Bill (1920) then pending in Parliament, the Lord Chancellor of England, Lord Birkenhead, had this to say:

“I, my Lords, can only express my amazement that men of experience, men of affairs . . . should have concentrated upon adultery as the one circumstance which ought to

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afford relief from the marriage tie . . . I am concerned to-day to make this point, by which I shall stand or fall . . . that the spiritual and moral sides of marriage are incomparably more important than the physical side. . . .

"I do not think that the Most Reverend Primate, the Archbishop of Canterbury, who, I believe, is to follow me in this debate, would for one moment, if dialectically he were a free agent, lend the weight of his authority to the position that the physical side of marriage is the highest. And yet . . . those who oppose this bill must say that. And for this reason—that if they say the physical side of marriage is not the highest they are committed to this monstrous and mediaeval paradox . . . they assent to divorce for a breach of the less important obligations of marriage and they deny divorce for a breach of the most important obligations of marriage. I conceive this to be an insult to the spiritual and sacramental conception of marriage . . ." <sup>22</sup>

Miss Maude Royden in quoting this argument observed that these words were hard to meet. But do they not overlook the fact that the physical is but the instrument of the "incomparably more important side"? One does not sin with his body and keep his soul out of it.

Dr. Newman Smyth declares: "Adultery is a universally recognized ground for divorce because it is an action of unfaithfulness to the marriage vow by which the one false to it breaks it asunder; and because for the other person continuance in marriage with an adulterer would render the innocent a party to the offense." <sup>23</sup> Even the Roman Catholic Church supports this view, though it will not allow a complete divorce—only a separation—to the innocent party.

But something else is being asked with greater in-



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sistence today. Are there not other sins and crimes against marriage which may be "morally equivalent" to adultery in disrupting marriage? "A sin like drunkenness," as Dr. Smyth suggests, "which may utterly destroy the spiritual unity of a home and threaten even the physical security of one of the persons bound by the law of marriage. Shall we be justified in admitting it to be likewise a proper Christian ground for divorce?"

A variety of answers at once comes in from Christian authorities, each answer depending on the attitude taken toward the actual words of Jesus and toward ecclesiastical tradition. The rigid legalist insists: "Christ said, 'saving for the cause of fornication' and that alone. He mentioned no other allowable cause." The more liberal group counters by asking if Jesus cared more for *institutions* than he did for *persons*, and by citing instances where he overran legalistic formulae that he might help a needy soul. In general it may be said that there is a growing disposition in many quarters to treat other flagrant sins against marriage as equivalent to adultery in dissolving it. To date, however, no formal ecclesiastical pronouncement has ever admitted such a view.

But if we examine the various "grounds for divorce" which are plead before civil courts, it will not be hard to see that these often point to such dominance of evil in at least one of the parties to the marriage that an impartial observer cannot be blamed for feeling that in actual fact sin has already disrupted the union in question, no matter what Church or state may formally say.

Consider, for instance, repeated acts of criminality. Where one of the parties, as the husband, turns out to be an habitual criminal, many thinkers feel that the wife ought in justice to be allowed a divorce. Others con-

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tend that the "for better, for worse" of the marriage vow covers the possibility of future crime in either party. As crime itself is a term of broad significance, so a proper judgment here must rest upon the degree and type of evil involved. The mere fact that a married person commits a crime against the state or some other person is not sufficient *per se* to break the marriage vows binding him to his wife. But an habitual criminal, one steeped in anti-social wickedness and sin, released from prison at long intervals only to be sent back again, would probably secure little sympathy from any one should his wife ask the state for a divorce.<sup>24</sup>

Violence, a form of crime, has likewise been cited as a sin which may develop until it wrecks marriage. Again the question is, What type of violence or cruelty, and just how often does it threaten the integrity of the home? Degree plays a big part here. Spasmodic acts of temper would certainly not be respected when pleaded in this connection, and "mental cruelty" is an expression which has come into contempt because of the lax way in which it has been construed in certain courts. But diabolical violence or cruelty is something else. Certainly the Church itself could not insist that a woman married to a sadistic fiend should continue to live with him.

Insanity presents a much more critical question. It may void marriage from the beginning on the ground that the afflicted party was not really able to enter a binding contract. But if it occurs after marriage, the Christian authorities have never considered insanity a ground for divorce, holding that, "like any other misfortune, it should be accepted with patience and resignation . . . neither society nor state can afford to break up families for such a cause."<sup>25</sup> The famous novel,

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*Jane Eyre*, is built upon this tragedy, Mr. Rochester's long-insane wife acting as a bar to the union of the lovers.

Drunkenness, suggested by Dr. Smyth as the possible equivalent of adultery, may be measured in the same way as crime. Ecclesiastical authorities have never formally allowed that drunkenness can be at all a ground for divorce. But the person married to an habitual drunkard will find that to all intents and purposes the home has gone.

There comes to mind desertion, the "poor man's divorce," as it is called. Perhaps more divorces are given for this cause than for any other,<sup>26</sup> and the number of actual desertions, of course, runs much higher than divorce. To be sure, desertion is often advanced as a ground for divorce when some other reason is the real one.

The state requires a definite period of time to elapse before a desertion can be legally recognized. This period varies in different countries and states. The older ecclesiasticisms allowed no divorce for desertion, but some of the newer denominations do. Luther, Bucer, Beza, Melancthon, and Calvin are among those cited by Carson as holding that desertion should be a valid ground for divorce.<sup>27</sup> They rested their case, of course, on Paul's injunction to the Corinthians—"a brother or a sister is not bound in such cases."

It is sometimes difficult to ascertain which of the separated persons has actually done the deserting, but in practice the one who asks a divorce for desertion is able to put the burden of proof on the absent party, who, not being present, is *ipso facto* deserting.

"Incompatibility of temper" is often pleaded as a ground for divorce today; but although instances do

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occur where marital harmony between persons proves impossible, the more conservative authorities frown on divorce for such cause. "Incompatibility" may mean anything or nothing. Modern states that allow it "put a premium upon domestic discord," observed B. Franklin.<sup>28</sup> The same authority added, "It is doubtful if incompatibility of temper would ever become unendurable between parties who by law and custom were taught to regard marriage as ordinarily indissoluble."

*Failure to provide* was the ground upon which seven per cent of the civil divorces were granted in the United States in 1928.<sup>29</sup> Such a plea was never officially respected by authorities in times past, but today, in a closely knit economic life where cash must be provided regularly if the home survives, "failure to provide" means much more than it did in a medieval, agrarian community. Especially where children are involved, this matter becomes critical. The question as to a person's *ability* to provide should always be looked into before the charge of *failure* to provide is pressed. Many a true husband has actually failed as a breadwinner but has not been thereby accused of any moral fault. When, however, he is able to support wife and children but refuses to do so, or squanders on selfish pleasures or empty trifles money that should feed and clothe his family, his whole conduct is in effect a desertion of the home, and in desperate cases will no doubt be so construed.

These acts and crimes have been listed as suggesting instances which may possibly become the "moral equivalent of adultery" in the dissolution of a home. The formal ecclesiastical tradition, as we have said, never holds anything equal to adultery in disrupting marriage,



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but the above is enough to show that Dr. Newman Smyth was not far wrong when he declared:

"We shall argue that divorce for such other cause (drunkenness) justifies itself to the Christian conscience, because we are satisfied that Jesus himself, if he were present and speaking to the men of our times in the same intent and spirit in which he spoke of old, would pronounce this cause to be as heinous as adultery in its destruction of the sacredness of the marriage bond. . . . There are conditions, other than adultery, in which the whole ethical and spiritual truth of marriage is so destroyed that for the innocent person to continue in the married state would be abhorrent to all pure instincts and would seem itself to be like participation in an adulterous relation."<sup>30</sup>

## VIII

MARRIED persons who have "separated" either informally or by divorce cause no great social concern so long as they do not remarry. Separation, to be sure, destroys a home and to that extent is a social calamity. But as long as either party is content to remain unmarried, the case does not involve society at large. It is when a person who has been divorced marries again that the whole issue is brought to the fore. It is one thing to be living apart from a former husband or wife; it is something else for a former wife to be living with another man, or for a divorced man to be married to another woman. Society as a whole may ignore the morality involved, but the Church cannot. For it is clear that if the former marriage has not been righteously dissolved, the remarried person is living in open adultery with one not really his wife, no matter what license the state or society may allow. This explains why every divorced person is looked at askance by the

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Church, and why he or she is sometimes refused the sacraments in certain churches. It also explains why a proposal to remarry a divorced person is often regarded with extreme distaste by ministers whose services are sought.

At this point certain authorities take the position that while divorce may in certain circumstances be permitted, remarriage should never be. Paul's direction that the married woman should not leave her husband, "and if she does leave, let her remain unmarried, or be reconciled to her husband" is cited in support here. The Roman Catholic Church will grant a partial divorce (*divortium a mensa et thoro*—separation "from bed and board") quite readily on occasions, but never—well, hardly ever—a complete one (*divortium a vinculo matrimonii*—from the marriage bond). Many Protestants take the same position against remarriage. "A divorce *a mensa et thoro* gives all needed relief," observed Bishop Charles Fisk.<sup>31</sup>

It is evident that if this rule against remarriage were a universal one—as its proponents say it should be—it would put a stop to every divorce that is motivated by the desire of one party to marry some one else. But strange as it may seem to those whose idea of divorce is bound up with Hollywood news items and the marital escapades of the idle rich, comparatively few persons obtain divorces in order to marry again. In fact, only about one-third of the divorced remarry at all, and the majority of these only after quite a time has elapsed. Dr. Alfred Cahen's scholarly *Statistical Analysis of American Divorce* makes an exhaustive study of figures here, and against the current popular opinion establishes the fact stated above. The average divorce is secured, not that the divorcee may marry another, but

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that he or she may be free of marriage altogether. The ordinary couple, in fact, tries hard to "make a go" of it. Divorce is a public sign that they have not succeeded. Divorce also carries with it certain intangible but quite real social penalties to which the divorced person often proves very sensitive. For all these reasons, divorce, in the vast majority of cases, is sought only as a last resort, not as a step to another marriage.

Partial divorce—that allowing no remarriage—has itself been objected to by many Christian thinkers. It is worthy of note that Archbishop Thomas Cranmer as far back as the sixteenth century expressed himself strongly against separation without the power of remarriage. Cranmer asserted that partial divorce was bad both for the parties and the state, "since this provision is foreign to the sacred Gospels and has brought a reek of evils into marriage."<sup>32</sup> Cranmer's views on this came very near being adopted by the English Church.

Today there is a growing feeling that partial divorce is a poor makeshift; that if a marriage should be broken at all it should be broken entirely; if it should be preserved it should be preserved intact. Separation without the power to remarry announces to the world that a person's former marriage was a mistake, but damns the party concerned to expiate it for the rest of his or her life. This may be defended from a sociological standpoint, but hardly by a church whose Founder commanded repeated forgiveness. Surely the Christ who refused to condemn the woman taken in sin, who commanded his disciples to forgive seventy times seven, would not have his Church insist that one whose marriage has proved a tragic failure—and that perhaps through no fault of his own—shall thenceforth and for-

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ever go through life with no further opportunity for acquiring mate or home or children. "Go and learn what that meaneth," he said to certain legalists of his own day. "I will have mercy, and not sacrifice!" <sup>33</sup>

### IX

PERSONS versus Institutions—that antithesis is really the essence of the whole divorce problem. Those who emphasize marriage as an institution can truthfully point out that if Church and civilized society are to go on, the matrimonial estate must be protected against individual caprice or the rise and fall of transitory amateness. "The vow is not 'so long as ye both shall *love*' but 'so long as ye both shall *live*,'" emphatically declared one authority. "It is better that any person should continue bound for life to one to whom he may be ill-mated," said Spencer B. Meeser, "than that the sanctity of the marriage relation and the well-being of the family should be destroyed to relieve him." <sup>34</sup>

Marriage does undergird all of life; and the family, good or bad, changing or changeless, is the fundamental unit in Church, state, and everywhere else. Those who keep in mind the cosmic significance of this truth do well to insist that no laxity on the part of religion or government shall put in peril that institution which from creation onward has been the cradle of all life, and which will continue in future as in the past to be the shaper of all human destiny.

But over against this truth there is another: that the individual is a unit as primal as the family itself, and that individual well-being and happiness mean more to the family and the state than any regimenting of life for a professed good. "What young man and maiden," they ask, "desperately in love, think of themselves as



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a 'unit in a cosmic process'? Fancy a lover who views his beauteous beloved as the other-half-of-an-institution!" The entire relationship is an intensely personal one, and there is a heavy demand today that this personal element in matrimony be recognized in a way that no sociological treatise and no Latin codex ever has done. The "individual instance," as one authority expressed it, should be accorded a respect which the institutionalized thinking of the past has never given it in treating of matrimonial tangles. If this is done, if this *can* be done wisely, it will in effect prove a much better recognition of that spiritual bond which is the essence of all true marriage than is the insistence that there is a "holy estate" which two unholy and unhappy persons have, unfortunately for themselves, created. To this extent the growing insistence that each marital case be decided on its own merits is in line with deeper truth than is the opposing view. No one, of course, will deny the danger nor the difficulty of passing judgment on each "case" as it comes up; but neither can one deny the danger to the individual, and so to home and society, of settling each marital situation by the rigid patterns of an institutionalized process.

The churches, however, even the Protestant churches in America have, with one or two noteworthy exceptions, made it quite clear during these latter years that they are heavily on the side of the institution. Alarmed by the steadily increasing divorce rate, almost all the churches have within recent years become much more strict in their formally expressed attitude toward divorce. "With the growing frequency of divorce the churches have been increasingly active on this subject," observed J. P. Lichtenberger, "and there has been a constant tendency toward strin-

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gency in ecclesiastical matters.”<sup>35</sup> The Presbyterian Church has recently withdrawn a provision allowing divorce for desertion, the Lutheran one for cruelty. The Catholic Church, of course, stands where it has always stood; and, as is well known, there is a low frequency of divorce among the Roman Catholic groups and a lowered average of divorce cases in those states where there is a large Catholic population.

America is, however, overwhelmingly Protestant, and in spite of this general tightening up of legislation against divorce, divorce itself has continued to increase at an accelerated rate each decade since the middle of the last century. This increase has led some to affirm that Protestantism cannot control its members as well as Roman Catholicism does. Perhaps it cannot, but this observation overlooks “nominal” church members and what, to refer to Paul again, may be termed the “unbelievers.” The Federal Council’s Report on Divorce (1929) made it unmistakably clear that the vast majority of divorces occur among those who have no church affiliation, or very little. Seventy-seven per cent of the Episcopal clergymen interviewed by the Federal Council’s Commission could not recall a single case of divorce in all their experience *where both husband and wife had been regular church attendants*. Eighty-seven per cent could recall only one divorce or less among those couples where both parties attended church. The Presbyterian ministers answered to the same effect, their average running somewhat higher. Eighty-three per cent of the Presbyterians could not recall any divorce among regular attendants in all their ministry. “This brings us face to face with the fact that what is basic in the problem of the divorce, as in

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every other human relationship, is the thing we call character.”<sup>36</sup>

There is one large American denomination which, over against the drift in the other Christian communions, has within recent years relaxed its regulations with reference to judging divorced persons. The Methodist Episcopal Church, representing the largest body of white communicants in the United States, in 1928 deliberately rescinded its time-honored rule with respect to ministers marrying divorced couples. Up to that time Methodist Episcopal ministers were strictly enjoined against remarrying any divorced person save the “innocent party” who had secured a divorce on the ground of adultery. After due deliberation the General Conference of the Methodist Episcopal Church voted to allow each minister in future to use his own judgment as to the facts and proper procedure to be followed in each case where divorced persons come to be married. This “humanized marriage,” according to a writer in the *New Republic*.<sup>37</sup> He hailed it as a recognition of the idea that divorce was “not to be decided by any hard and fast legal rule, but by the good sense and discretion of the clergy. . . . The Methodists,” concluded this writer, “are substituting . . . a scientific and pragmatic test for a dogmatic and theological test.”

## X

It is not within the limits of this study to discuss the positive methods which are being adopted by church agencies, social workers, and domestic court officers to guard against the disruption of the home through divorce. There is an increasing awareness over the nation that more care in training young people for marriage and a better directed effort toward prevent-

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ing hasty or ill-advised marriages are badly needed. Much legislation within recent years has been passed by state courts looking to this end, and there is a definite call for drastic action on the part of civil power. But, as Dr. Cahen makes clear in his study, lax legislation is not the chief reason for the increasing divorce rate. That, as we have indicated throughout this chapter, goes back to something far deeper—to character itself, and it is in this sphere that the most efficacious work can be done.

What this chapter has attempted to deal with has been the actual divorce problem itself as that is presented in hundreds of thousands of cases today. Enough has been said to show that the usual mass thinking on this whole matter is non-critical in the extreme, and that even the traditional ecclesiastical attitude does not go deep enough to speak with anything like infallibility on the fundamental question, Whom does God join, or how does he join them?

Practically, it may be admitted that the common regulations affecting marriage and divorce as these have been worked out by both Church and state give a fair and workable basis on which today we must all perforce proceed. But just as no two individuals are alike, so is it impossible to assume that all marital combinations of individuals are alike and should be treated alike. Certainly these combinations are *not* alike in actual life, and it would seem to be a part of the highest wisdom to admit it.

The danger that is inherent in treating each marital case as a separate entity is of course manifest. A too great insistence that the individual case be unduly respected may weaken the august sanctions and framework of marriage as a cosmic institution. A too great



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insistence that the inflexible rules which are good for the many shall be rigorously applied to the individual may in numberless cases grind that individual to powder. Again it becomes the Individual *versus* the Institution.

One thing is sure: Wherever and whenever a decision is called for upon a special divorce case, that decision should never be given until all the facts are clear. Nor do "facts" mean merely the allegations made before a civil court or the pronouncements of that court. It is notorious that divorces are often secured on other than the real grounds, and that collusion, pretended adultery, hired correspondents, etc., all may play a part here. Facts are the actual circumstances, stripped of all verbiage and pretense, which have to do with any particular case under advisement. When these have been ascertained as clearly as possible, then, and not until then, may judgment be brought to a focus.

Above all, whoever passes on the merits of divorce must have a clear understanding and appreciation of the ideal and universal significance of Christian marriage in its whole range and sweep. The Creator's primal institution, the teaching of Christ, the advice of Paul, the banked-up wisdom of the Church through the centuries—all this ought to be in mind when anyone dares assume the responsibility of passing on a single divorce case. And if all this is in mind and forms the background of judgment, the case will appear no longer as a "case" but as the desperate need of a man or woman who are immortal souls. Marriage may end with the earth, but the persons married never will. This is the truth that with complete finality shows where the emphasis must be placed. Souls, not institutions, are eternal.

## CHAPTER THREE

### GAMBLE OR INVESTMENT?



*A discussion of gambling with a formula  
for its identification and a special  
treatment of speculative business  
and the stock market.*

WHEN G. Washington Tubbs of Tubbs & Tubbs, Investments & Securities, ordered his broker to buy one thousand shares of Amalgamated Copper, he was engaging in a practice which his firm had been carrying on for many years. The telephoned order to buy was a routine proceeding with Mr. Tubbs; and from his experienced knowledge of the market he was sure that even if copper fell in price, his shares could be held until he should have a chance to realize on them about what he had put in. With him the matter was pure business, and he should have been surprised as well as angry had any one hinted that he was gambling.

But when George W. Tubbs, grocer, who had saved a little over ten thousand dollars, decided to put it all into Amalgamated Copper on what he thought was a sure tip that copper was about to jump several points in price, his order to buy looks like a straight-out gamble. He was risking the savings of a lifetime in a business concerning which he knew very little, and where, as far as his own mental grasp of the situation was concerned, much was pure chance. He was, in

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fact, betting everything he had that copper was about to rise.

Here, then, we have two different men doing the same thing—the one investing, the other gambling—or will this distinction hold? And if it does, wherein lies the difference between the action of Mr. Tubbs, grocer, and Mr. Tubbs, broker?

Or consider this situation: Mr. A contracts to buy one hundred bales of spot cotton to be delivered to him next October at eleven cents a pound. He is hoping, and perhaps has reason to believe, that he will be able to sell this cotton at that date for more than he pays for it. If the price drops below eleven cents, he loses; if it goes above eleven cents, he gains. Cotton futures!

The whole process appears to the ordinary business man as a clear-cut gamble, and perhaps it is. But on the same day that Mr. A bought his future cotton, the Way-Down-South Cotton Mills also contracted to buy one hundred bales of cotton next October for eleven cents a pound. The mill owners were simply providing for a supply of needed raw material at a price that was fixed and certain. Everyone agrees that this last transaction is not only legitimate but absolutely necessary if the cotton-spinning business is to be run on a sensible basis. Here again then, we have an identical act performed by different parties. One was “gambling in cotton futures,” the other conducting a legitimate business. Wherein lay the difference?

Or take the case of the much-abused “short” in the grain exchange. Let us say he contracts to deliver two thousand bushels of wheat next May at ninety-eight cents a bushel. He hasn’t got the wheat—which explains why he is a “short”—but he hopes to get it for less than ninety-eight cents before the date on which he

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must deliver. He is, therefore, selling something he does not possess, something he may find it impossible to possess; and his action is regarded as extremely immoral by many conservative people. But along comes our good, dependable milkman each morning, promising to deliver milk to us through the months ahead. Is he also a "short"? He is contracting to deliver something which he does not now possess.

Or when we go to a tailor and have him agree to make us a suit of clothes within the next ten days or two weeks, is he also "selling short"? The very cloth from which he makes the suit must be ordered from a distant city. And what of the contractor who undertakes to build a house when as yet he has not even purchased the lumber? Certainly he has no more house than a "short" in the wheat market has wheat. Yet this respectable contractor, the tailor, and the milkman are considered sound business men whose work is essential to the well-being of the community. Why are their short sales so meritorious when a market "short" is so pernicious?

To discuss the problem these questions raise, together with the whole moot subject of gambling, speculation, and investment, is the purpose of this chapter. We shall first take up the theoretical aspects of gambling and endeavor to define and isolate its peculiar essence; after which we shall review various types of present-day gambling; and then some attention will be given to those speculative businesses which are on the border line of doubtful practice.

### **I**

GAMBLING is a perversion of one of the noblest traits of mankind. In other directions this trait flowers out



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in the spirit of daring or of adventure, of hazarding everything for some commanding cause, of dedicating one's "life, fortune, and sacred honor" to a noble ambition or unselfish idea. This, of course, is the essence of all heroism, as it has been the mainspring of human progress. To "take a chance," even a desperate chance, is not necessarily gambling. If it were, all the heroes, explorers, and pioneers, with countless others in everyday life, would be gamblers; for chance is inseparable from life. The most conservative business faces risks, and the most humdrum life has its hazards.

What the gambler does is to pervert this otherwise noble spirit of daring, this heroic willingness to run risks for a worthy cause, into a system of using chance as the determinant for an exchange of money or property, so that what one person gains, another loses. This is gambling—and not only does it appear in various traditional forms, but all sorts of other situations may be discovered or invented today where gambling is possible.

Because chance is always present and plays such a large part in all gambling, there is a disposition among uncritical people to insist that anyone who takes a chance is a gambler. Especially when the chance or risk is large, many assume that the "gambling instinct" is manifesting itself. But Charles Lindbergh, when he "flew the whole Atlantic and the fag ends of the tide," was no gambler, though he took an awful chance. The American soldiers who allowed themselves to be bitten by yellow fever mosquitoes so that the army surgeons might better understand how to combat "Yellow Jack," that scourge of the tropics, were not gamblers, though they risked their lives in what they did. Robert Morris, who hazarded his whole private fortune in the dark

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days of 1776 in order that he might help the American Colonies to be free, was not thereby a gambler, though at the time the chances appeared very much against the success of his cause. The assumption of risk, even a great risk for a comparatively small reward, cannot be indicated *by itself* as gambling.

*But gambling is always risk.* Let that be admitted. There can be no gamble on a certainty. No bet is ever laid unless at least one of the parties to it thinks there is a "chance," no matter how slim that chance appears. Even in those situations where skill is admittedly a greater factor than chance (as in the outcome of certain games, or even in picking the winner at the race track), if a bet is made at all, it is made *because of the chance element involved*. When an event appears too certain, "odds" are given to induce bets. When a superior horse is matched against an inferior, a "handicap" is arranged so that uncertainty may be created and bets invited. If there is no risk, the gambler makes one.

Herein lies one great difference between the gambler and the non-gambler—a *mental attitude toward risk*. The legitimate business man accepts risk and takes chances because he must, but his whole endeavor is to avoid risk wherever possible and to do away with it when he can. Colonel Lindbergh, for instance, accepted the risk when he flew out over the ocean on his memorable flight, but he did not *want* the risk. He wanted to fly the Atlantic. He took the risk because a flight entailed a risk. Robert Morris did not want to hazard his whole estate by financing Washington's then forlorn campaign. He did it because his patriotism was superior to his love of private fortune, and in that fact lies the reason why he stands today as a hero to the Republic he helped bring into being. Every farmer

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who plants a crop knows very well that he runs a heavy risk against all sorts of hazards of weather, insects, crop diseases, and an uncertain market—but the farmer does not *want* these worrying hazards. He accepts them because he must. He would be delighted to have a “sure thing,” and see farming reduced to a system that would mean livelihood without worry. So should every legitimate investor. Indeed, the whole march of man’s progress has been along the line of eliminating risk wherever possible from industry, from business, and from every other needed undertaking of humanity.

But with a gambler a different attitude prevails. As gambling depends on risks, it is risk that he must have, and if there is no risk, he makes one.

“The gambler,” explains Dr. W. Douglas Mackenzie, “aims continually in the pursuit of his own end, at the elimination not of chance, but of certainty. He *wishes to risk his money* and to go forward, not knowing whether he is to lose it or to gain more. . . . The element of chance in an honest business life is a foe to be conquered, a challenge to all that is keen in a man’s intellect and noble in his will. In a gambler’s career, chance is his alluring delight and his disgraceful passion.”<sup>1</sup>

Here, then, is first of all a mental attitude differentiating the gambler from the non-gambler. The one welcomes chance, creates chance, and finds a bet anywhere. The other gets rid of chance wherever possible. The difference inheres in the minds of the two men, and because of that fact arises the peculiar difficulty in passing upon the moral aspect of many a “border-line” undertaking.

## II

BUT chance is not the only feature always present in

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gambling. There is something else which is as distinctive as is the gambler's willingness to accept chance as the arbiter—that is, what this writer will call the gain-loss distinction. In all regular gambling, what one gains, another loses; what one loses, another gains. Every bet, wager, lottery, or gambling contract of whatever sort has this feature, and practically *always in terms of money or property value*.

“Gambling is the act of playing or gaming for stakes”—so Webster defines it. “In the strict sense of the term, gambling implies a playing or gaming as at checkers, dice, cards, horse racing, cock fighting, or some sport or contest as well as a staking or risking of money to be lost or won on the issue.” The *as well as* in the foregoing definition is extremely important.

Dr. Mackenzie in his *Ethics of Gambling* (p. 25), agrees: “As a result of a bet, property is transferred from one to another upon the occurrence of an event which to the two parties to the bet, was a matter of complete chance, or as nearly so as their adjustment of conditions could make it.”

The *Roman Catholic Encyclopedia* echoes these findings: “Gambling is the staking of money or other things of value on the issue of a game of chance.”

Here, then, we have all authorities agreeing that money or some other thing of substantial value is always involved in gambling; *and* that the transfer depends on chance.

This gives the formula by which the writer holds that gambling may always be identified:

CHANCE + GAIN-LOSS.

Always there is chance, whether large or small, as the determinant (in the mind of at least *one* of the parties),



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and always there is a gain for one which is a loss for another in regular gambling. As this gain-loss feature is such an important factor in gambling, it must be looked at more closely. There are in general three types of it, as follows:

First, *direct gain-loss* where the winner takes what the loser loses. This is what happens in all straight gambling. (By "winner" and "loser" of course, we mean the winning or losing party, whether the "party" consist of one or many.) The direct gain-loss equation may be expressed as follows:

$$\text{WINNER'S GAIN} = \text{LOSER'S LOSS.}$$

A second form of gain-loss may be written *direct gain—indirect loss*. Here the winner wins, but the loser does not suffer a loss exactly equivalent to the winner's gain. The loser may belong to a club that provides certain prizes to be drawn by lot, and he therefore pays for the prize indirectly; or he may play a slot machine, which by returning him some small value in candy or gum gives him something for his loss. At present the so-called "Bank Night" in the motion picture theaters provides an instance of *direct gain—indirect loss*, as the losers are given admission to the picture show whether or not they win the prize. But as the prize is of necessity provided for out of increased gains on admission fees, and as chance selects the winner, it is gambling. The equation may be written:

$$\text{WINNER'S GAIN} > \text{LOSER'S LOSS}$$

A third form of *gain—loss* may be better expressed as *gain—no gain*. Here the winner wins, but the "loser" does not suffer a true loss. He simply fails to win, as when prizes are given by an outside party to be dis-

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tributed by lot. Coins, for instance, may be thrown among a crowd of boys by a passer-by; prizes distributed by lot for advertising purposes, etc. Those who are winners, gain; but those who do not secure a prize, do not really lose. They simply fail to win and are where they were all along. This, the writer holds, does not constitute a gamble—unless, of course, there is some costly condition which prospective winners must meet to be eligible, as a fee to “enter”; or some expensive service to render to secure one’s “chance.” Such would then in effect be “putting up” stakes, and failure to win could not be called a *no gain*, but a real loss. But a true *gain—no gain* situation does not impress the writer as being morally vicious, even with chance as the arbiter. There must be a *direct gain-loss* or a *direct gain-indirect loss* for true gambling.

### III

WE have now discussed the nature of gambling and explained the formula by which it can usually be identified. But before going on to point out and discuss the essential immorality of the gambling act, it may be helpful first to take up a variety of situations met with today and show how these may be tested as to their gambling content by the “chance+gain-loss” formula. To identify gambling, so that it may be known when met, is, for all practical purposes, almost as necessary as to appreciate its essential evil. The question and answer method will be used.

*What of a poverty-stricken father who buys lottery tickets hoping to win a fortune that will rescue his family from a life of wretchedness? Is this gambling?*

Yes. The lottery is everywhere conceded to be a gamble. Its determinant is pure chance, and the *gain-*

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loss feature is almost direct. The motive of the poverty-stricken father in attempting to win a fortune for his family implies an intent to participate in the loss of others. Should he win a fortune it would be at the expense of some who may be just as poor as he. The lottery is anti-social, and its victims overwhelmingly outnumber its winners. It is socially and morally vicious.

*Does not a man take a chance when he runs for public office? He certainly spends much time and money when he runs against one who he knows will be hard to beat. Furthermore, he makes another lose. Is this not gambling?*

No. A candidate may risk money and the loss of time in a race that he may realize is well-nigh hopeless, but he does not rely on chance to win for him. He relies on his own merit, his campaign ability, the good sense of the electorate, and other valid circumstances. Furthermore, the prize aimed at is one of worth, essential to the common weal, and the loser does not actually lose but fails to win. The losing candidate, as well as the winner, will agree that the greater number of votes, not chance, should really determine who is elected. There is no gamble.

*But suppose a candidate bet upon his own race?*

That would be a gamble. When a candidate places a bet upon himself, he "steps out of character" as a candidate. To be sure, he may be betting on himself as a campaign measure (in which case he is more of a candidate than he is a gambler), *but the man who takes his bet* is betting on a chance to win and so a gamble is created. Chance is always present in the mind of at least *one* party to every bet; and, of course, no one

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can make a gambling contract with a gambler and not gamble.

*A prize is offered for the best batter on the school ball team. The man whose average is highest for the season wins. As some chance is involved and as the winner forces others to lose, has he gambled?*

No. The reward is not based on chance but on proficiency. The batters are relying on their respective batting ability. Furthermore, the gain-loss situation was in reality *gain—no gain*.

*But suppose the players decide to "pitch in" as the season opens and buy a gold watch to be presented afterward to the best batter on the team.*

That would create a gamble. Each man would in effect be betting on himself to win, and each assumes that he has a *chance*. The *gain-loss* is practically direct.

*Suppose a prize is offered by a hostess at a bridge party. She furnishes the prize herself and the best player wins—or is supposed to. Is this not more of a test of skill than a gamble, as there is no direct gain-loss?*

If the prize were really "given away," we might allow a no-gamble even with cards—which are the gambler's traditional tools—making the decision. But rare is the prize at a bridge game for which some sort of return will not sooner or later be required. If the hostess is expected to furnish the prize when her time to entertain the club arrives, each prize in reality partakes of the nature of a pool, with each one having a chance at it. There is certainly *gain—indirect loss* in such a case—which makes of it a gamble. Furthermore, although it is sometimes contended that a bridge prize simply adds "interest" to the game, one lady who "plays for blood" in any bridge club can throw this whole



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problem into such high relief that its gambling feature will stand out like chain lightning on a midnight sky.

*What of small stakes put up to "create interest" in a game of golf—say a penny a point?*

If the stakes are worth anything at all, even though put up to "create interest," they represent value; and no matter how small that value is, it is equivalent to a bet. The gain-loss is direct, and chance is a recognized factor whenever a bet is made. It is a gamble.

*What of contests for large prizes, as automobiles, trips to Europe, etc., given by large business concerns to advertise their products?*

Much depends on the type of the contest, that is, whether the award is based on chance or skill or cleverness. If the contest is along some competitive line, such as furnishing an apt advertising slogan, or writing the best letter on a given subject, the chance element is ruled out by the very terms of the contest and there is no gamble. But if the contestant has reason to believe that the awards are distributed in a haphazard way, or by lot; and if each contestant is required to buy something from the firm putting on the contest, or provide a fee to enter, it would become a gamble, as there would be chance plus *gain—indirect loss*.

*What of paying an entrance fee to enter a contest, as an archery tournament, where a handsome prize goes to the winner?*

This is one of those borderline cases where much depends on the size of the fee. If the entrance fee should be no more than a small amount to take care of advertising and minor expenses connected with such a tournament, its payment would be entirely proper. But if the fee were made large enough so that the contestants actually furnish the prize, or largely do so, a bet would

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in effect be present. That is, each contestant would be betting his fee that he could win from the others whose fees were going to make up the prize. The gain-loss would be fairly direct.

*What of "Bank Night" at the movies? <sup>2</sup>*

We have already said that the so-called "Bank Night" is a gamble, and indeed some courts have so held it to be. True, each person admitted to the theater is allowed to see a display of motion pictures, and the theater takes the position that it *gives away* its purse or prize over and above the admission charge.

But statistics show that on "Bank Night" the picture house is much more crowded than on other nights; and the house itself would not "give away" its prizes in this way did the "night" not build up attendance very profitably. In actual effect there is a gamble. A gain-indirect loss is present, and the decision is given by pure chance.

*What of small prizes given for attendance at club meetings where the winner is selected by lot?*

Strictly speaking, this is a gamble, but as the prize is very small, no one attends for the sake of it. The gain-loss is not direct, and so the process is not usually frowned on. But if the prize were large, then its value would far outweigh the matter of attendance in the minds of those present. The gain-loss would likewise greatly increase and the situation become to all intents a lottery.

*Is not insurance a gamble? Chance is definitely present and the insured gains what others indirectly lose.*

Insurance does involve these features, but with this important difference: It is an attempt *to circumvent chance*, not to rely on it; and furthermore, the "gain"

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in the *gain-loss* feature is not true *gain* at all—merely an offset or indemnification for a much greater loss. One “dies to win” in life insurance; or one suffers a vast fire loss in order to collect such insurance as has been allowed on the insured property. Even if we should admit that insurance has a true *gain-loss* feature, the fact that its whole purpose is to obviate chance, to overcome chance, would be sufficient to remove it from the realm of gambling.

*What is wrong with gambling anyhow? Suppose I feel the need of recreation and find myself in possession of five dollars, which I have an absolute right to use for amusement if I please. I can go to a show, I may spend it in movies, at a concert, in drives, go on an excursion, subscribe for a magazine, or buy books. Suppose I decide that it will give me more enjoyment to risk just that sum at the gaming-table or in lottery tickets—why not?*

This opens up the whole matter of the morality of gambling.

## IV

It has long been assumed that the inherent immorality of gambling cannot be proved; and, curiously enough, the Church—that is, the historic Church of the past—has never sounded a clear and unmistakable note with reference to it. Roman Catholicism to this day adopts a highly equivocal attitude; and Protestants are frequently amazed at the number of lotteries and games of chance at Roman Catholic fairs, bazaars, and similar occasions. Lotteries on an enormous scale are quite prevalent in Roman Catholic countries, and some of the smaller South American Republics have at times obtained practically their entire revenue from such

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sources. The Irish Sweepstakes, which is today world-wide in its reach, will be thought of in this connection.

The *Catholic Encyclopedia*, without any apology, holds that "it is not gambling in the strict sense if a bet is laid on the issue of or on a game of skill, as billiards or football; the issue must depend on chance, as in dice; or partly on chance, partly on skill, as in whist. Moreover, a person who plays for small stakes to give zest to the game is not said to gamble; gambling connotes playing for high stakes."

As to betting, the *Catholic Encyclopedia* declares: "As I may give the money of which I have free disposal to another, so there is nothing in sound morals to prevent me from entering into a contract with another, to hand over to him a sum of money if an assertion be found to be true, or if a certain event come to pass, with the stipulation that he is to do the same in my favor if the event be otherwise."

The *Encyclopedia* even adds: "The avocation of the professional bookmaker need not be morally wrong. It is quite possible to keep the moral law and at the same time, so to arrange one's bets with different people that, though in all probability there will be some loss, there will be gain on the whole."

This is all heavily pro-gambling, but Catholic theologians have felt it necessary to qualify their Church's apparent approval of gambling by laying down four rules or conditions, "so that gambling may not be illicit." Here are their rules:

(1) *What is staked must belong to the gambler and be at his free disposal.* That is, no one may gamble with another's money, nor may a man hazard "what is necessary" to support his wife and children.



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(2) *The gambler must act freely without undue compulsion.*

(3) *There must be no fraud in the transaction, although "the usual ruses" of the game may be allowed.* (It is explained that it is not wrong to *conceal* one's cards, but to *mark* them would be.)

(4) *There must be some sort of equality between the parties who gamble*, so as to make the contest equitable. "It would be unfair for two whist experts to take the money from two mere novices."

All this is rather startling to the Protestant moralist. His answer—and a damning one it is—is to point to the effects of gambling as a whole. Even the *Catholic Encyclopedia* itself, after laying down the regulations above—which are exceedingly weak—castigates gambling and admits that in some countries it "equals drinking in its destructive influence."

Herbert Spencer is said to have been the first to affirm that gambling could not be successfully combated unless the intrinsic immorality of the gambling act itself could be made evident. This Spencer proceeded to do, fixing the evil of gambling in the anti-social effect of what this writer has been calling its gain-loss feature.

"It is a kind of action by which *pleasure is obtained at the cost of pain to another*. The normal obtainment of gratification, or of the money which purchases gratification, implies, firstly, that there has been put forth equivalent effort of a kind which, in some way, furthers the general good; and implies, secondly, that those from whom the money is received get directly or indirectly, equivalent satisfaction. But in gambling the opposite happens. Benefit received does not imply effort put forth, and the happiness of the winner implies the misery of the loser. This

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kind of action is therefore essentially anti-social, sears the sympathies, cultivates a hard egoism, and so produces a general deterioration of character.”<sup>3</sup>

There is no question concerning the correctness of the Spencerian indictment here as to the *effect* of gambling; but by attacking gambling on its gain-loss feature alone, and by parallelling gain-loss with pleasure-pain, Spencer failed to allow for the peculiar nature of the gambling psychosis. As Dr. Mackenzie points out in his *Ethics of Gambling*, “there are many who really enjoy betting for its own sake, and these argue that the pleasure they obtain in making a bet and in awaiting the result far outweighs the losses they suffer.”

If gambling itself is a pleasure and a gambler states that he is willing to pay for it, how may Herbert Spencer’s judgment as to what is pain and what is pleasure be a sufficient answer here? Nor will a Christian moralist readily agree that a balance of pleasure over pain is a sound criterion as to what is right and what is wrong. It must not be forgotten that there are many competitive situations, such as we have discussed above, where one who *wins* forces someone else to *lose*. It should be kept clearly in mind that only when *chance* is the determinant is an immoral situation, an anti-social situation, thereby created.

In contrast to Spencer’s view, Dr. Mackenzie<sup>4</sup> based his attack upon gambling almost entirely on its chance element. He points out with great acuteness what we have discussed previously—that it is the gambler’s *will-  
ingness* to accept chance, his readiness to take a chance and make a chance, that in reality differentiates him from the ordinary man who faces normal or even abnormal risks. But when Dr. Mackenzie posits the evil

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of gambling almost entirely in what he calls "a transaction outside human nature" (relying on chance) he forgets that we do just that when we engage in many sports and games and hazardous undertakings. Practically all games are built upon the plan of creating artificial hazards which are to be overcome; in backgammon, for instance, every move depends on a throw of the dice. This certainly is stepping outside the bounds of rational human action; but as backgammon is a *game*, and no money changes hands, it is not immoral for all that.

Even the employment of chance to decide certain matters, as when we draw straws or cast lots, is not necessarily irrational. When the captains of two football teams toss a coin to see which gets the first choice of goal, what other method could they adopt to decide this immediate matter of preference? The two teams have met to test their ability in play, and neither may claim any priority. Sortilege is sometimes the most reasonable method which can be adopted; and it must not be forgotten that the New Testament gives an instance where the eleven disciples of Jesus met and, after prayer, chose by lot one to take the place of Judas—"and the lot fell upon Matthias."<sup>5</sup>

What should be insisted upon and what neither Herbert Spencer nor Dr. Mackenzie makes unmistakably clear is that the evil of gambling does not reside in its chance element alone, nor in its gain-loss feature alone, *but in both together*. The two elements *in combination* create a gamble, and their joint presence is almost conclusive in determining any moot matter of this sort.

In the writer's opinion, the gambling act presents a unique but highly immoral situation, whose essence, like that of the other great sins, seems to manifest itself

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in its effect upon character. We have been treating gambling on its objective side in the endeavor to identify it, if possible, by outward acts or expressions; but it can scarcely be understood apart from human personality and the peculiar psychosis which gambling induces in the participant. The gambler, rather than the thing gambled or the method of gambling, is the important factor in all this.

The effect of gambling on the gambler therefore provides the ultimate criterion here, and on this the logic of life speaks with crushing force. Gambling stands indicted by the experience of every age; and no matter how it may be defended in theory, its effect on moral character is admittedly disastrous. The whole process has through the centuries left a trail of moral wreckage in its wake, and every theory cited in support of gambling collapses before this gigantic fact. That is why a man has no more right to gamble with his five dollars than he has to procure a prostitute with this money. His five dollars, if he gambles, will finance an act or create a situation which is morally disastrous, personally vicious, and socially a sin against man that is a sin against God.

Not the least terrible of the many aspects of gambling is the strong appeal it makes to a certain type of bold, adventurous manhood. We have already noticed that gambling is the perversion of the otherwise noble trait of daring and adventure. It is not surprising, then, to find that the gambler is quite often a person of parts who otherwise might have exercised his talents in some hazardous but socially profitable undertaking. Professional and business men of ability and skill, together with others whose sedentary life may prove somewhat humdrum, are often intrigued by the appeal which



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gambling makes. Stakes put at the hazard of chance furnish a craved excitement; gambling intensifies life, and so a bet is laid.

As is well known, gambling addicts never start by betting large amounts. They begin by playing for small stakes. But as time goes on and the gambling psychosis begins to grip them, larger and larger hazards are required to keep up the excitement. So a gambler is made—and so it is that to bet one penny upon a chance event is to keep a pernicious system alive among men. Let our youths find an outlet for their adventurous natures in those enterprises which, if successful, do not defraud others. Life provides plenty of hazards to be overcome in the world as it is. The ever increasing complexity of present-day civilization challenges the spirit of man in every direction. Let that spirit face chance, or whatever chance may threaten to bring upon it, not by utilizing it to defraud or to degrade a fellow creature, but by overcoming it for the betterment of all men everywhere.

. . . . .

Although it has been made clear that the employment of chance when no gambling contract is involved may not, strictly speaking, be termed gambling, nevertheless there is a sense in which the assumption of a heavy risk may be immoral, aside from any gain-loss relationship with another. To drive a car recklessly through the city streets is immoral, not because it is "gambling with life," as it is sometimes called, but because life and property are thereby needlessly put in jeopardy. But when the ambulance or the fire engine drives at top speed across city streets, we discount their apparent

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recklessness since a social end of the highest value demands such haste. Likewise, when a man risks his life in attempting some dangerous enterprise that promises a thrill of success or applause—or even remuneration—he should be sure that the end to be attained is entirely worthy if his life is thereby to be put in jeopardy. For this reason morally-balanced people frown on dangerous stunts—going over Niagara in a barrel, flying an airplane between bridge and water, or any other of the numerous “thrills” whose net result is not very advantageous to the general welfare. Every moral man feels a responsibility toward safeguarding his own person and his own health, just as he feels the same responsibility toward safeguarding the persons of others; and no one may lightly discount this obligation. To this extent every “taking of chances” and every assumption of risk, even legitimate risk, must be a matter of prudence and common sense, with the larger background of social helpfulness always in mind.

The story is told of a young man who was strolling by some swift and dangerous waters with a young woman with whom he was very much in love. It happened that a pet dog belonging to the young woman fell into the water and was rapidly borne toward destruction on a succession of jagged rocks. The youth at once threw off his coat and rushed to the water's edge, but a quick glance showed him the danger of an attempted rescue and the desperate chance he would be forced to take. “It isn't worth it,” he muttered, more to himself than to his companion, and slowly put on his coat again.

Naturally, he was cut dead by the girl, who publicly branded him a coward for his refusal to attempt a rescue. But, as the story goes, a few days later a small

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child fell into these same waters; and this time there was no hesitation on the part of the young man, who, after a desperate fight, succeeded in getting back to the bank with the child. This time the attempt was "worth it." The chances were presumably the same in both instances, but a far different set of social values had come into play.

There is another point that should be cleared here also. It is agreed that no gamble takes place when one person surpasses another in some competitive enterprise or business venture where skill or ability, not chance, is the criterion. But although there may be no gamble in certain situations where one man's loss is another's gain, a heartlessness and selfishness may be manifested which is as vicious as anything in gambling itself.

A man, for instance, who plans to "work another out of his job" may not rely upon chance to do this—may indeed rely upon his own initiative and a better type of service which he can render to gain his end. But for all that, the act may be a piece of diabolical selfishness; and a sincere man, certainly a Christian man, will think long before he ever succeeds so directly at the expense of another. Time and again in competitive business, opportunities present themselves for one to climb up by pulling another down. There is no gamble; but whoever forces another to lose that he may gain, may do him a greater wrong than if he had taken his money at cards.

This is not to affirm that competition for worthy positions and rewards should always be avoided by good men—that would be to retard all social progress.

The writer knows a family of brothers who were taught by their mother when they were young that it

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was wrong to surpass others at school or in play for prizes of any sort. They must be unselfish and be glad to see others succeed, not themselves. Their mother's teaching cut the nerve of all youthful aggressiveness; and now in middle life the brothers are occupying mediocre positions, although their natural talents should have given them positions where they might have done vastly more good to society as a whole.

What we affirm is that the end aimed at, the prize to be won, should be one whose winning by fair competition is a credit to society at large as well as to the winner whom society has produced. Certainly no moral man will ever succeed directly at the expense of another without first weighing well the entire situation and balancing the personal element of victory and defeat against the wider background of life and service. Just as we have said that there are non-gambling situations where taking unnecessary chances is wrong, so there are non-gambling situations where gain-loss resultants are likewise wrong. In other words, there is more evil in the world than that which takes place at the gaming table or the bookies' stand.

## V.

THE whole field of business speculation, including buying and selling on the stock exchange, deserves more than casual treatment. *Speculation*, Webster defines as "engaging in business out of the ordinary, dealing with a view to making a profit from conjectural fluctuations in the price rather than from the ordinary profit of trade; or by entering into a business venture involving unusual risks for a chance of an unusually large gain or profit."

It will be clear at once, of course, that the assump-



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tion of risk—unusual risk—is “of the essence” of speculation. That is to say, the risk or chance factor is always present in all speculation, just as it is always present in all gambling. If a direct or even indirect gain-loss factor were always present in all speculation, there would be no question as to its gambling content. But because of the complexity of the commercial processes in which most speculation takes place, especially in the open stock market, it is extremely difficult to arrive at a gain-loss formula that may be applied with certainty to any given situation. One man’s gain in an investment or speculation may not necessarily be another’s loss. The stock one invests in or buys at a venture may go up in value and penalize no one, but, on the contrary, help society at large.

A “poor railroad,” for instance, may begin to make money, a neglected mine to increase its output, any business to improve and be rated much higher because of the better service it renders. In all such events there is no necessary loss to any non-stockholder; and society at large does not begrudge the gain of the investor, especially when, as happens quite often, the investor himself works hard to improve the social value of his undertaking.

The stock market itself, in spite of the opportunity it allows to the gambler and tricky speculator, fulfils a very necessary social and economic function. It provides a free market where goods and values can be sold to the highest bidder, and where open competition between buyers and sellers makes for fairness and justice in fixing prices. This would not be possible were the nation without such a place. Farmers, small traders, and others would be at the mercy of whatever buyer or seller happened to be near them if there were no

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open market to give them a "normal" quotation. Organized speculation and the stock exchanges prevent private gouging, local monopolies, and the like. One reason that commodity prices do fluctuate is that the market, like a steam gauge on a working boiler, is reflecting tremendous stresses from a whole series of conflicting forces and trying to find a position of balance between them. With all its rapid fluctuations, the stock exchange is—paradoxically enough—a stabilizing influence.

But with all that, it must be admitted that "the whole organization of the stock exchange is so designed as to make it as easy as possible for men to gamble," as a writer in *Scribner's* aptly observed.<sup>6</sup> A contract to buy future wheat, said the same writer, is "as definitely a gambling contract as a bet on the outcome of a horse race or a throw of dice. While it goes through the form of a purchase and sale, there is no more merchandizing about it than there is in a crap game. . . . The once famous Louisiana lottery was not better designed for the stupendous and lucrative business of separating fools from their money, yet it would be absurd to say that the stock exchange is a den of thieves or a gambling hell."<sup>7</sup>

The real criterion, as we have suggested before, is the individual's intent; and that, of course, no one but God and the person involved can know. If the contracts bought and sold on the exchange are simply "counters" in a game of speculation—as indeed many of them are—then there is gambling on a scale that makes a poker game look puerile. But if an investor is attempting to get hold of securities or stocks in concerns which he hopes to develop, or expects to realize on through the years, he certainly cannot be called a

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gambler. When we see Mr. G. Washington Tubbs of Tubbs & Tubbs putting his money into copper, we may agree that it is "sound investing," as Mr. Tubbs tells us that it is; or we may declare with equal assurance that Mr. Tubbs is simply betting his money that copper will jump a few points, and that he is out to scalp the market. No one but Mr. Tubbs really knows what Mr. Tubbs means to do.

Likewise, the man who buys cotton for future delivery may tell us that he has just as much right to order some cotton to be delivered to him next October as we have to order a house to be built and turned over to us at that time. And if we have no more than appearances to go on, perhaps the cotton buyer is right—certainly we cannot answer him definitely. He may be buying that cotton as private agent for the Way-Down-South Mills! Who knows? The intent of an investor is not open to examination by another, and for this reason it is almost impossible at times to draw a line so as to say what speculation is legitimate and what is not.

Short selling, that is, the sale of something not yet possessed, naturally is looked at with great suspicion by conservative people. Some go so far as to say that is *ipso facto* a gamble. "Young man," said old Daniel Drew, who knew the stock exchange far better than he did English grammar, "don't you never sell nothing you don't own." But, as we have indicated, even those who sell what they "don't own," as the tailor and the milkman and the contractor, may play a very essential part in a helpful economic process. The Way-Down-South Cotton Mills cannot contract with nearby farmers to take cotton directly from their wagons. It must go to the cotton exchange and work through brokers

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and other reputable concerns which can assure their buyers ahead what the price will be, and contract with them for delivery at the price agreed. No one can call such a process gambling, though it is short selling. So, for that matter, may be many other transactions on the stock market. "Only the omniscient searcher of hearts can tell in any individual case whether the seller really intended to deliver, and the buyer to receive the grain or not," commented William Z. Ripley with reference to wheat futures.

Another class of stock transactions to be looked at with great suspicion is what is known as "buying on margin"—that is, buying by paying but a small part of the actual cost. As most speculators, and those who "play the market," operate in this way, using their contracts as "counters," margin buying has been fiercely assailed by those who realize its open invitation to gamble. Laws have been passed designed to stop it by requiring heavy down payments. But the laws passed against speculating on margin usually serve only to keep out small speculators, those who buy on margin hoping to profit enough to buy more and so "pyramid" their purchases in a continual rise of stock. That one who does this is in effect gambling is taken as evident by many today, and so it can be usually. But laws designed to curtail buying on margin do not always succeed, and the large speculator remains untouched, for he can "cover" his purchases any moment he is required to do so. Brace, in his *Value of Organized Speculation*, demonstrates very clearly how the actual delivery of a commodity itself might be carried out—and yet the whole transaction be a pure gamble. "Intent" is everything.

Dr. Mackenzie says: "Roughly speaking, that form



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of buying and selling is gambling in which the buyer is or ought to be aware that he performs no real social function; when he comes in upon the market, not to facilitate the distribution of commodities, not to supply legitimate commerical ventures with the necessary capital, but merely to hold on "margins" a nominal and unreal ownership for a few hours or a few days, in the hope that "by chance" between his buying and his selling the price may rise. Legitimate commerce is burdened and hindered by this class of transactions, alike on the Corn and on the Stock Exchange.

"There is this dark side to the commercial gambler's life, that while he acts without the purpose and, shall I say, 'social consciousness' of the true merchant, he is also free from the more or less arbitrary restrictions, called laws of honor, with which custom has surrounded the various forms of betting upon sports and games. The card-player who takes means to know his opponent's cards is kicked out of the club; but the stock-broker, who, in order to save himself, sells to you what he knows will ruin you, is only a sharp business man; yet the latter has virtually seen your cards, while pretending to deal honestly. It is practically impossible for the habitual commercial gambler to escape this moral stain." <sup>8</sup>

Dr. Mackenzie might have cited other evil features connected with stock speculation, all too prevalent on the stock exchange—the dissemination of harmful rumors, artificial methods of depressing or raising prices, and other reprehensible business practices. Such practices as these are wrong in whatever business found, and the stock market perhaps may no more be blamed for them than any other business where tricky wiles appear. Nevertheless, it is significant that in the stock

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market a plethora of such evils is to be found, and not the least of the charges against the market is that it lends itself to the nefarious purposes of crooks and shysters of all sorts.

For all these reasons we would advise the Christian business man to be very sure of his own mind and intent before he "goes into the market" or engages in any highly speculative business. If he does wish to do something constructive, to invest capital that he may improve the situation of his fellow men, or to put his mind and talents behind stocks which control helpful industry; or if he wishes to secure bonds which represent stable capital supporting some socially profitable undertaking—he usually finds such moves permitted by his own conscience and his sense of responsibility for the proper use of his money. But if he "invests" simply to ride a tide of profit made by others, with the idea of getting without giving; or if he hopes to make money through stock fluctuations which are beyond his control; or if he hazards what is to him a great sum in a highly speculative enterprise, hoping that thereby he may make a great gain—though all this may not be exactly classed as gambling, it does represent an immoral taking of chances that cannot be approved. Mr. Tubbs' money represents something of Mr. Tubbs' life and Mr. Tubbs' potential power, and no man has a right to hazard or employ either without taking into consideration the end as well as the means in the light of the august canons of personal morality. For every act of life men are morally accountable; and when a man deliberately chooses to run great risks with life or money, he must have that choice motivated by something other than the selfish desire for profit or the thrill of meaningless adventure. God is a God of law, and with him

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is no variableness. Having endowed his children with reason, he expects them to be guided by it and to live righteously and soberly in this present world. "There is but one good throw of the dice," said Chatfield, "and that is to throw them away."

## CHAPTER FOUR

### "WHAT THINGS ARE CAESAR'S?"



*A study of the Church-State  
relationship in the United States  
and a theory of Mutual Equity.*

WHEN my nation orders me to go to war, and I do not believe in war; when my government taxes me to provide a big navy, and I do not believe in a big navy; when the city school board rules that the Bible cannot be read in the public schools, and I wish it read there to my children; when my state licenses and obtains a revenue from pari-mutuel betting or open saloons, while I deprecate and abhor these—

How may I as a Christian voice my objection politically to what I think wrong morally without basing my contention frankly on my religious convictions? And if I do base my political attitude upon my religious beliefs, by what possible theory may I defend my right to campaign and vote for religious and moral issues in a land where I, with every one else, believe that Church and state should be completely separated?

These questions are as sweeping in their import as they are timely. For, since the anti-war enthusiasm of the churches has come to a head in definite pronouncements affirming that conscience and not government should have the final word in determining one's attitude on war, and since moral matters of the highest importance are becoming increasingly wound



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up with political platforms and governmental theories, the time has certainly come for the average Christian citizen to examine anew his traditional ideas and beliefs with reference to these matters. He has all along assumed that Church and state are two great co-ordinate authorities able to claim and to receive his loyalty in such manner that there can never be any conflict between them. Now, however, he has suddenly awakened to find that these two loyalties are not always co-ordinate, neither are they parallel, but inextricably interwound so that it has become well-nigh impossible for him to tell what things are Caesar's and what are God's. What duties does a Christian owe to his state, and what to his Church? How may he decide when or in what respect either may claim to be superior?

To answer these questions it will first be necessary to look at the history of the Church and state during the long centuries when no one had any idea that they could be or should be divided. Next we propose to call attention to certain features of the dual arrangement as it prevails today in the United States; and last of all, this chapter will suggest a theory of relationship between Church and state which the writer believes promises a better basis for concerted action than the present anomalous situation allows.

### I

THE idea that religion and government should be two separate and distinct entities was one scarcely dreamed of by the ancient world. No people until comparatively recent times would have thought of attempting to keep apart the ecclesiastical and political establishments. This may have been because everyone, rulers and officers as well as ordinary persons, held to some

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sort of outwardly expressed religion; or it may have been from the fundamental psychic nature of man, who cannot conceive of himself serving naturally and harmoniously a dual control, at one time political, at another religious. Be that as it may, the fact remains that all through ancient times the priestly class and the ruling class were invariably in alliance, if not one and the same. The chieftain was in numberless cases the priest. Even in the Jewish state, which was theocratic, the controlling body, whether judge or prophet or Sanhedrin, had the power of directing in temporal affairs. Even in Rome, the most perfect example of temporal power, the *imperator* was likewise *pontifex maximus*, or High Priest. Plato's *Republic* outlines an ideal state; and though the philosopher himself shows that he had his doubts about the gods, yet it was inconceivable to him that such a republic as he pictured could be organized without owning an official religion. The whole story of mankind makes it clear that everywhere religious belief has been tied up with government. "How can we sing Jehovah's song in a strange land?" was the plaint of the exiled Hebrews when their captors urged them to chant the songs of their far-away Zion on the banks of an alien river. Other regions, other gods. A people's deities were a people's standards. To serve them was patriotic, while, on the contrary, impiety was national treachery. Church and state coalesced, and there was no dual control such as the present age has seen outlined.

The early Christians ran head on into this conception. When they refused to offer incense and worship to the emperor as a god, they thereby laid themselves open to the accusation of disloyalty. Their attitude was not merely irreligious; it was unpatriotic. Indeed,

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their very organization—any organization within the empire—was frowned upon, just as Trajan refused to allow a fire company to organize in his province of Bithynia simply because fire companies were not part of the imperial machinery. Any cult in charge of a nation's government could charge treason against all other cults; and when Christianity gained control of the purple with Constantine, it adopted the same course. The idea of separate "spheres of power," one temporal, one religious, would have struck the practical Latin mind as an absurdity. All government was one.

It was this situation that made the query put to Jesus concerning the tribute money rather a critical one. "Is it lawful to give tribute unto Caesar, or not?"<sup>1</sup>

Grant that this was a shrewd question; it was also an exceedingly comprehensive one—practically a call upon this new prophet to show his colors. To the Jewish people, it was not "lawful" to pay. To the Romans, this tax was a matter-of-fact obligation to be met by all "tribute" people.

"Shew me the tribute money," ordered Jesus; "Whose is this image and superscription?"

They say, "Caesar's."

Then saith he unto them: "Render unto Caesar the things that are Caesar's, and to God the things that are God's." The soul of man bears the image of God and goes to God; his material possessions are of the earth and belong to the powers of the earth. Pennies to Caesar, but the soul to God.

So we explain, rather glibly, as we observe how neatly Jesus broke apart the intertwined loyalties which in the mind of every other thinker had been one. But like other of his teachings, this was either too difficult or too dangerous for the world to accept. At any rate,

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the full force of this injunction went unnoticed. Certainly there was no attempt whatever to work out its implications along practical lines.

So from that time on up to and through the Middle Ages, the Church-state complex held exactly as it had always, although the increasing power of the papacy, and the long duel between it and the emperors, put the mind of the schoolmen and others to work on the problem of this tension between these two forces. John Wycliffe of England, for one, tried to differentiate between the temporal power and the spiritual, giving to the pope the latter, and yielding temporal allegiance to the sovereigns of the earth.<sup>2</sup> But because the various activities and interests of a man's life are interwound with his religion and his loyalty to his city or his prince, no great headway was made in creating a division that would stand the test of any immediate necessity. Furthermore, the papacy itself demanded and obtained an enormous temporal power, confusing all the more any attempt at a differentiation.

The Reformation came; but although nationalism, "man's other religion," was at the heart of it, especially in the northern countries, nothing occurred to change the conception of the unified Church and state as the world had known it until then. The toleration which was ultimately obtained for Protestants or Catholics was *toleration*—that and nothing more. Every country had its favored religion, and the famous Peace of Augsburg thought it not strange to allow the king or prince of each separate nation to fix for his realm its official belief. If the ruler was Catholic, the religion was to be Catholic; if Protestant, it was to be Protestant. The other party could accept it or move out to a region ruled by a prince of his own faith.



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America was settled by varied national types, with each colonial government maintaining a real or quasi connection with an official church. All sorts of laws were passed to solidify religious control. In Virginia, the Establishment had no difficulty in maintaining its ministers by the taxes of the people, as is yet done in England; while in Massachusetts, congregationalism was regularly accepted as part of the government. Even in Maryland, where toleration was an expressed ideal, there was a clause in the charter which said that "Worship must be according to the ecclesiastical laws of our Kingdom of England."<sup>3</sup> Blasphemy and disbelief in the Trinity were punished *by death* in Maryland's famous Toleration Act of 1649—a penalty heavy enough to sweep away from any modern reader the idea that perfect religious freedom was then in vogue.

It will not be necessary to follow through the many successive and successful steps by which the American people before and after the Revolution gradually and finally broke away from the idea of a state church. Suffice it to say that Thomas Jefferson, James Madison, and the others who played a prime part in creating the American state wanted the new government to be completely free of religious bias. They viewed with especial dislike the idea that some sort of religious test should be put to prospective candidates for office.

But powerful opposition developed just here in the National Constitutional Convention of 1787. Patrick Henry of Virginia, no friend of the federal idea, with Luther Martin of Maryland, bitterly opposed this proposal. The burly Martin finally walked out of the convention and wrote the speaker of the House of Delegates of Maryland:

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"The part of the system that provides that no religious test shall ever be required as a qualification to any public office or public trust under the United States was adopted by a great majority of the Convention and without much debate; however, there were some members so unfashionable as to think that the belief in the existence of a deity and a state of future rewards and punishment would be some security for the good conduct of our rulers."

But Martin of Maryland, Richard Henry Lee and Patrick Henry of Virginia, lost their fight—which was just as well. The Constitution was adopted, and the First Amendment clinched the victory: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

Thus the famous break was made in the traditional relationship of Church and state. The idea was not novel, but for the first time a great government was launched with the frank recognition of the dual roles which religion and politics ought to play in social organization.

## II

THE historic division which thus came into being was not, however, quite so thoroughgoing as the ordinary American usually supposes. A national state church is forbidden by the United States Constitution; but a "state church" in the sense of one established by law in the separate commonwealths of the Union is not only possible, one was in actual existence in Connecticut until 1817, in Massachusetts until 1833. What the United States citizen is protected from by the First Amendment is *congressional* action setting up a *federal* or *national* church. "Congress shall make no law re-

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specting an establishment of religion" is the constitutional bar in question. The separate commonwealths, keeping all powers not specifically granted to the federal government, retain, of course, their right to establish or dis-establish an official religion for themselves as may seem good. That the whole genius of the American people, in every commonwealth as in the nation, is set against such a procedure is of course admitted; and there is no more practical danger of a state church being established by Arkansas, Maryland, or Montana than by the national legislature in Washington; but that these states as sovereign bodies could do this, should their people so desire, is an actual fact.\*

Not only has every state in the Union the inherent right to establish an official church; but the private citizen himself, under the common law, which antedates the national Constitution and is incorporated in it, has his daily life circumscribed by a tangle of regulatory material bearing upon his religio-civic relationship. Several sweeping court decisions since the adoption of the United States Constitution have made it clear that there is a close alliance between the teachings of Christian morality and the powers under which we live. More than one hundred years ago Chancellor Kent of New York, in *People vs. Ruggles*, affirmed a sentence in a case of blasphemy, imposing a fine of five hundred dollars and imprisonment for three months, saying as he did so, that "Christianity is part of the law of the land;" and that "the people stand in need now as formerly, of

\* Utah presents an exception here, agreeing before entering the Union that it would not legalize polygamy nor change its Constitution in this respect without the consent of the people of the United States.

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all that moral discipline and those principles of virtue that bind society together.”<sup>4</sup>

A much more important ruling than this was given by the Supreme Court of the United States in the famous Mormon cases. In these the plea was made by the Mormons that polygamy was a religious tenet with them, and that as the Constitution guaranteed them religious freedom, they had the right to have more than one wife as a matter of religious liberty. In answering this contention, the Court issued a most important pronouncement, holding substantially that the standard of judgment, when religious liberty was pleaded at the bar of a United States court, is “the standard of *accepted Christian conduct*,” and that “religious practices outraging this standard *will be uprooted by the law*.”<sup>5</sup>

“It was never intended that the [first] Amendment should be invoked . . . against . . . the punishment of acts inimical to the peace, good order and morals of society. Suppose that one believed that human sacrifices were a necessary part of religious worship, would it be seriously contended that the civil government under which he lived could not interfere to prevent a sacrifice? Or if a wife religiously believed it her duty to burn herself on the funeral pyre of her dead husband, would it be beyond the power of the civil government to prevent her carrying her belief into practice? Government could exist in name only under such circumstances.”<sup>6</sup>

Studying the above and kindred rulings, it can be affirmed that the American nation holds Christianity as its “favored religion.” Indeed, a recent pronouncement of the Supreme Court definitely states: “We are a Christian people.”<sup>7</sup> The federal government puts on its official papers the date, not of its own founding, as did



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Rome with its *anno urbis conditae*, but of the birth of Jesus of Nazareth. It puts the motto "In God We Trust" on its coins; it has an official Thanksgiving Day in November of each year, ordered by presidential proclamation; it provides chaplains for its legislative bodies, its prisons, and its armies; it exempts ministers from military service, as most states do from jury duty. Its president takes oath in the Name of God upon the sacred Scriptures of the Christian people, and through these and other formal acts the American state shows that it is working hand in glove, not with one special ecclesiastical organization, but with the *ethos* if not all the ideals of Christianity. If the government does sometimes overstep the boundary and request ministers to preach for a Liberty Loan, or ask the churches to assist the Army Red Cross with funds for the battle front, or suggest that the local pulpits support whatever governmental social theory is currently being tried, it may be that church champions should not run quite such a fever over all this as some of our heavily publicized ecclesiastics have done in the past.

The Church, for its part, encourages obedience to the state and to the "powers that be"; recognizes the necessity for laws and counsels observance of them; prays for kings, princes, and rulers of the earth, in some of its more formal prayers naming them "ministers of God"; and assists good government where it may by teaching and precept. Both Church and state have, broadly speaking, been fair to each other in America. The writer has sometimes thought that if everything were known there has been more encroachment upon the domain of the state from the side of the Church than *vice versa*—but this remark is put in by way of parenthesis, not argument.

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### III

GOING on to the interesting question as to the future relationship between these dual powers in American life, and a citizen's duty to each, it is clear that there is an increasing possibility of conflict as life grows more and more communal, as well as more and more complex. For, as H. L. Mencken has expressed it in vigorous language:

"It [the state] has taken on a vast mass of new duties and responsibilities; it has spread out its powers until they penetrate to every act of the citizen, however secret; it has begun to throw around its operations the high dignity and impeccability of a state religion; its agents become a separate and superior caste, with authority to bind and loose, and their thumbs in every pot."

What is becoming more and more obvious is the overlapping, not to say inextricable entanglement of the two sovereignties. There is no certain boundary line in life-as-it-is that can define where the jurisdiction of the state ends and that of the Church begins. Those who take seriously the injunction of Jesus, "Render unto Caesar the things that are Caesar's and to God the things that are God's," are apt to overlook the fact that God as well as Caesar may sometimes need our pennies; and that it is impossible to serve Caesar with our tribute unless something of spiritual allegiance go with our money. Personality cannot be divided. A psychic entity is a unit. Who is to say when a thing belongs to God and when it belongs to Caesar?

This question has always been at the center of such public controversies as have been carried on regarding the attitude of the Roman Catholic Church toward

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the American state. Granting the right to the Roman Church—or to any church—to interfere or to go into action on moral matters, *it is the Church itself which decides when this time has arrived*. If the state says that a particular public question is no concern of the Church, and the Church asserts that it is, there is a *casus belli* already in the open.

All those matters which are commonly bracketed under the head of “moral issues” may be considered here. Church authorities, Protestant as well as Catholic, have long taken the position that upon matters having to do with public morals, even when these become involved in politics, a Christian citizenship ought and must express itself forcibly. But it has long been recognized that all questions, of whatever sort, whether social or political or economic, have moral implications, and that there is a right and wrong to every conscious action of life. What then? Shall the church forces or the moral element go into caucus before each election and decide what party or what candidate to support? Is a church justified in campaigning for that side which is “least corrupt”? A strict constructionist, holding rigidly to the idea above—that morality is involved in each and every act of life—might insist with good reason that something like this should be done. But what a tangled net would thus be woven!

The Roman Catholic Church is in far better position here than is Protestantism, for it has the authority to decide upon the spiritual or moral value of political and economic moves in a way which a divided Protestantism may never hope to do. Rome has, in fact, signed definite agreements or *concordats* with various states and temporal powers touching certain phases of their mutual relationship and defining separate jurisdictions.

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But no one in his right mind can imagine American Protestantism ever acting as a unit in approaching the tangled mass of ethical possibilities that open before it today, or that may open before it in the future.

One individual, one church organization even, may see a "great moral issue" where others see no more than a political dogfight. A needed social reform may be the least of all the planks in a political platform, and even then may have been tacked on merely to "gain the church vote." The most untrustworthy persons may make the greatest promises politically and be the highest bidders for moral support. All these angles give one pause, and it frequently turns out that when a church or a group of church people permit themselves to be drawn into local conflicts because of the public morality involved, they discover many queer political bedfellows.

Nevertheless, there is such a thing as moral and social sanitation, and the churches are largely responsible for maintaining it. It seems agreed that although neither Church nor private citizen should give up the right to speak, campaign, or vote for political and economic moves which are felt to be in the interest of a high public morality, whoever makes such a move should be certain that the moral question at issue is one of outstanding importance. If the balanced judgment of a great ecclesiasticism, or of the vast bulk of Christian people, shall declare a paramount moral issue to be locked up in a social, economic, or political campaign, then the Christian citizen may well feel that he has the right to declare his moral sense of the matter and take the stump for its success. But let each individual be well aware that when he alone undertakes to decide upon the rights and wrongs of political and social move-



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ments, or attempts to carry on single-handed an individual warfare, he is no better than a private sniper carrying on unorganized warfare out of uniform. "When such a one is caught—and it is not hard to catch him—he usually gets the treatment meted out to snipers, and the place thereof knows him no more." <sup>8</sup>

As it is, the best that can be done is for the ordinary Christian citizen to make a rough-and-ready division of those matters having to do with moral, political, and social betterment, allowing by common consent some "spheres of influence" to belong to the state, some to the Church. Protestant moralists have for some time contended vigorously that the control or suppression of the liquor traffic, or of harmful drugs, or of human slavery, or of white slavery, or of legalized vice and kindred social evils, is of such great importance to the public weal that even though political and social strife be entailed, the result aimed at is worth the struggle. Other social and economic ills, such as child labor and the exploitation of the underprivileged, take high rank as moral problems and provide situations where direct action by the Christian forces is often given with little or no apology. In the narrower field of social sanitation, such as legislation directed against public indecency, pornographic literature, immoral shows, books, pictures, and the like, the church element is expected to provide a needed censorship and supervision. The noteworthy action of the Roman Catholic Church with its Legion of Decency (ably supported by the Protestant press and pulpit) showed what might be done by a direct and concerted move to cleanse the moving picture industry. To be sure, this was a plain boycott and unattended by any political ferment, but

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it was direct church action for all that, and in the name of morality.

Other matters, such as international relations, alien exclusion acts, racial segregation, and the like, may be thought of, but on these there is less uniformity of Christian thought. To be sure, there are some few who feel more deeply on these questions than they do on some of the causes mentioned above. At present the whole economic order is furnishing a vast battle ground where many persons are insisting that a fundamental national morality is deeply involved. The churches are being besought to take sides and issue pronouncements in the interest of one or another of the forces which are so often today in economic clash. All these conflicting interests and entangled problems create a veritable differential calculus of morality; and as it is evident that legislation or political action of some sort will eventually be the final determinant, an uncharted but not untroubled sea lies ahead. What "spiritual" question the Roman Catholic Church may pronounce to be within its purview in future, no one knows, any more than one can forecast in what "moral issue" the Methodist or Presbyterian Churches may marshal their serried array twenty years from now. The frontier of jurisdiction between Church and state is of necessity indefinite, and therefore debatable at numberless points.

## IV

BUT all this comes much closer home to the individual when he feels that a direct rule or order of the state compromises or violates his conscience or the law of his church. In American history such a situation came about during the abolition movement prior to the Civil

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War. Slaves as property were protected by law, but slaves as property were considered by many to be an affront to public morality and to the best interests of the Republic. Thus arose a tension between what the state maintained and what the conscience of many citizens believed. Good men held that they ought to obey God rather than fugitive slave laws, and, appealing to what they considered the higher rule, violated the civil statute. Eventually, national law caught up with them, and universal judgment today pronounces that they were right, but the whole stormy epoch serves as an example of the possibilities of conflict between the two co-ordinate powers which we are discussing.

At present the tremendous effort the organized churches are making to oppose war and everything having to do with it provides a case in point. The individual morality and wider ethical implications of the war-making powers of a nation will be treated in our next chapter, but suffice it to say here that the situation is such that a very real conflict of sovereignties may come about at any time. The state, resting upon force, not necessarily military or police, but the crystalized power of the *consensus populi*—as the sovereignty of every state must do—finds itself fixed in a world where up to the present the war system has prevailed. Led by the better thought of peace-loving people everywhere, many nations have, on paper at least, pushed the war idea into the background. Treaty after treaty has been signed looking toward international peace, and good people in spite of present conflict fervently hope that in future no great nation will ever again war with another. In the event, however, that such a war does occur, there are many nationals who state that they will refuse to participate, holding that

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their conscience does not permit them to bear arms with which to slay their fellow man. Thus a potential state-Church conflict impends.

The American government settles this by allowing its own citizens to file private objections where there are any, and during the last war many were enrolled as "conscientious objectors." These were not compelled to bear arms, though their lot was not an enviable one. Some such policy may be looked for again in America should a future war arise, though, as the Supreme Court of the United States has carefully pointed out, such exemption from arms-bearing is in no sense a constitutional right, but simply a favor which Congress has hitherto seen fit to allow. The government of the United States has the constitutional right, conscience or no conscience,<sup>9</sup> to draft men into her armies and command them to war whenever this be deemed necessary; and it is this stark fact which faces all Christians who do not believe, or those churches which do not believe, that war is ever morally justified.

The MacIntosh case, which was settled by the Supreme Court of the United States in 1929, served to throw into high relief this whole matter. A brave Christian teacher, born in Canada, a veteran of the British Army, and a member of the faculty of the Divinity School of Yale University, applied for admission to United States citizenship. The examiner before whom Dr. MacIntosh appeared asked him if he would be willing to bear arms in support of the United States should a future war arise. Dr. MacIntosh refused to answer definitely, holding that he should wait until the contingency arose before deciding what he would do. The examiner thereupon refused him naturalization, and after several subsequent moves, the whole



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case was finally passed on by the Supreme Court of the United States. By a five-to-four decision, the Court sustained the examiner.

The implications of this case cut to the heart of the matter we are discussing. The noble apology of Dr. MacIntosh, the august findings of the Supreme Court, and the stirring dissent of Chief Justice Hughes are all couched in strong, expressive language and set forth concisely not only opposing views but an irreconcilable philosophy.

"I do not undertake to support 'my country, right or wrong,'" said Dr. MacIntosh, "in any dispute which may arise and I am not willing to promise beforehand, and without knowing the cause for which my country may go to war, either that I will or that I will not 'take up arms in defense of this country' however 'necessary' the war may seem to the government of the day."<sup>10</sup>

This declaration of high intent was met by a rejoinder from the majority of the Supreme Court just as strong and just as lofty:

"There are few higher or more exalted sentiments than that which finds an expression in opposition to war. Peace is a sweet and holy thing, and war is a hateful and abominable thing to be avoided by any sacrifice or concession that a free people can make. But thus far mankind has been unable to devise any method of definitely prolonging the one or of entirely abolishing the other; and, unfortunately, there is nothing which seems to afford positive ground for thinking that the near future will witness the beginning of the reign of perpetual peace. . . . The Constitution, therefore, wisely contemplating the ever-present possibility of war, declares that one of its purposes is to 'provide for the common defense.' In express terms,

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Congress is empowered 'to declare war' which necessarily connotes the plenary power to wage war with all the force to make it effective; and to . . . 'raise armies,' which necessarily connotes the like power to say who shall serve in them and in what way. . . .

"From its very nature the war power, when necessity calls for its exercise, tolerates no qualifications or limitations, unless found in the Constitution or in applicable principles or international law. . . . When he (Dr. MacIntosh) speaks of putting his allegiance to the will of God above his allegiance to the government, it is evident, in the light of his entire statement, that he means to make *his own interpretation* of the will of God the decisive test which shall conclude the government and stay its hand. We are a Christian people according to one another the equal right of religious freedom, and acknowledging with reverence the duty of obedience to the will of God. But also, we are a nation with the duty to survive; a nation whose Constitution contemplates war as well as peace; whose government must go forward upon the assumption, and safely can proceed on no other, that unqualified allegiance to the nation and submission and obedience to the laws of the land, as well those made for war as those made for peace, are not inconsistent with the will of God." <sup>11</sup>

These words of the Court show the absolutely irreconcilable conflict which exists here. Had Dr. MacIntosh been allowed to have the power to decide whether or not he should obey a governmental order sending him to war, the same right would of necessity belong to everyone, and the sovereignty of the state would be an absolutely enigmatic quality at the very time when it is to be most severely tried. Since Dr. MacIntosh was not allowed that power, it is evident that in American jurisprudence the sovereignty of the state

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is put by governmental interpretation in control of the conscience of the individual as far as war is concerned.

Justice Hughes, in a dissent in which four justices joined, tried to reconcile the two contentions.

"Undoubtedly," said Justice Hughes, "a duty to the state exists within the domain of power, for government may enforce obedience to laws regardless of scruples. When one's belief collides with the power of the state, the latter is supreme within its sphere, and submission or punishment follows. But *in the forum of conscience*, duty to a moral power higher than the state has always been maintained."

But what, pray, is the "forum of conscience" over against the "realm of power"? What avails it to say that the state "may enforce obedience to laws regardless of scruples," but that "duty to a moral power higher than the state has always been maintained"? What does this mean in practice? Has the state the right—not the *power*, but the right—to order a man to war regardless of his conscience? If so, then the private conscience is morally subservient to the popular or governmental will. If not, national sovereignty collapses, and at its time of greatest trial, before the determination of each private individual. The impasse is complete.

## V

SOME try to resolve any conflict between such sovereignties by an argument that is more clever than profound. They assert that when the churches "renounce war," or fight for moral legislation, or campaign against the big navy group, they are not acting as extraneous powers attempting to influence the policy of an alien government. They are constituent parts of

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the nation themselves. The churches are privileged to be heard on moral, social, and even political questions since their own existence is involved in the common weal. Church membership does not disfranchise one, and the "moral element," it is asserted, has as much right to express itself at the polls as has the "gas-house gang" in the fourth ward, or the Republican party in all the wards. Let the Church act—so say protagonists of this view—not as a Church, but as an inspiration to its members to apply to civic and political life its own timeless principles.

This argument is all right as far as it goes—the difficulty is, it never stops! Those who have a moment before been so vigorously affirming that Church and state are and ought always to be distinct and separate, are now insisting that the churches are "constituent parts" of the state, "involved in the common weal." In setting the church element over against the "gas-house gang," we get the impression that the ecclesiastical apologists are more concerned with the precinct voting list than with their above-mentioned timeless principles. Certainly church members have the same warrant to exercise their suffrage as have the less altruistic members of the fourth-ward gang; but no one is deceived when they piously declare that they are not thus acting as organized churches, but as a private citizenry. The position is sound, but the apology for it is a clear case of side-stepping by an organization that with much better grace might have stood to its guns. Has the Church a right, on its own principles, to ask its members to do something which it will not do itself? Should it teach its children to engage in a course of conduct having to do with public welfare but at the same time enjoin these children in private: "Keep my



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name out of it"? The logic of good churchmanship would seem to hold that it should not. What is right for the church member ought in general to be right for the Church.

On the other hand, those who resent the action of the churches in crusading for social and civic reform grow equally wild when voicing their objections. They, too, start with the premise that Church and state are and ought to be separate, *ergo*, "Let the Church stay out of politics." One of the great mid-western dailies, after the election of 1928, so far forgot itself as to declare that church members have no right to carry over into their political life the principles and tenets of belief which they observe as church members! If they do, so held this paper, the barrier is down between ecclesiastical and civic control. To this amazing declaration one of the better-known religious journals aptly replied by observing that this was simply a polite request to the churches to "get off the face of the earth."

A less rabid and better-founded dissent comes from those who point out the practical effects of a church's "going into politics." Curiously enough, two quite diverse elements bring out this argument. Political bosses and public men who fear the "church vote" are always the first to shake their heads sadly over the injury such a sacred organization is about to do itself by getting "mixed up in dirty politics"; but chiming in with them can usually be detected the voices of many conservative, pious folk within the churches themselves, who hate to see their beloved Zion entangled in worldly affairs. Such persons are far more comfortable when their minister confines his remarks to the sins of Abraham, Isaac, and Jacob than when he criticizes the big navy bloc or turns his attention toward

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wickedness in high—and nearby—civic places. It must of course be admitted that it is a risky business for a preacher or church council to pass on the rights and wrongs of a complex public question, and fools in the pulpit have been known to cry “moral issue” over many a little partisan tempest that was then stirring in the municipal teapot. But it is equally dangerous for the Church to shut itself away from life as men live it and drone platitudes when the world is crying for moral leadership.

It is clear that protagonists of both sides building upon the same premise run into difficulties. The aggressive churchman says: “Church and state are separate, but as a citizen I have my rights, and with my people I am going to help direct the destiny of my city, my state, my nation. If good people will not, bad ones will.”

The political boss says: “Church and state are separate, and church people have no right, parading as ‘citizens,’ to act as puppets for a Church that is afraid to show its own hand. The preachers are all neck-deep in politics, and this talk of ‘moral issues’ fools nobody.”

Each of these contradictory positions has something of validity in it, though the two diverge so widely. What then? Why, then it would seem the part of wisdom to go back to the fundamental postulate itself. Church and state are *not* separate in American life except in theory. Certainly they are not in practical life divided to the extent that is commonly supposed. At a thousand points, man’s religious loyalty crosses the lines of his social and political destiny. For a century and a half we have indeed preserved a curious and praiseworthy equilibrium between our governmental and ecclesiastical machinery in the United States, but

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there never has been a clear-cut separation of the two to such an extent that the one had no concern in the affairs of the other. It is unanimously agreed that there must never be a coalescing of the two powers, but the implications of history and the present effect of the written and unwritten law have not been given full weight. What seems to be called for is a frank acknowledgment that while Church and state are and must be *organically* distinct, they are at the same time inextricably locked together in a mutual commonweal.

To recognize this condition will suggest the procedure that must be followed in future if there is to be worked out a better founded science of mutual relationship. There are many other instances in life of divided loyalties, entangled communal rights, and the like; and conflicting interests must often be settled by some system that promises justice to each. In fact, the legal profession has worked out a vast science known as *equity*, which proposes to deal with situations similar to that which we are now viewing. By its rules and processes, proceedings in equity are had which determine in each separate case what are the just rights and true claims of either party. It is, of course, impossible here to explain the full meaning of the term "equity" as the legal profession knows it, but an illustration or two may make clear its basic meaning.

We say that a city has an "equity" in a public franchise—as a waterworks, street railway, or the like—since such concerns are "public" utilities. Their operation and well-being are of vital concern to the city itself. It cannot possibly be disinterested, and its share or concern in such utilities is recognized concretely by the law. Just what the "equity" is, is another matter difficult to determine. When courts are called upon to

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settle it, every aspect of each particular case under advisement is brought into the equation.

So should it be in working out an equitable adjustment between the church—any church—and the American state. The exact amount of “interest” the nation has in its churches, or in any individual church, is an indeterminate matter, just as is the “interest” a church has in the well-being of its overarching state. The whole relationship is one to be debated in specific application, but hardly to be denied in its larger implications. *The Church has an equity in the state, and the state has an equity in the Church.*

If this equitable viewpoint be adopted, while it will determine nothing with finality and may even appear to approve the badly scrambled “separation,” it will afford a better background for the co-operation that must prevail. It will evaluate in a frank and open manner the two—sometimes parallel, sometimes convergent—loyalties and interests involved. Equity would seem to allow those churches which have put the most into the life of their nation to feel that they rightly have a greater share in that nation than have the whole array of little, ephemeral, home-brewed cults that arise, flourish, and die in such profusion in American life. To be sure, the rights of every minority, civil or religious, must be protected; but it is at this exact point that equity is a vigilant champion. “He that would have equity must do equity.” But the majority also has its rights. When the Supreme Court decided that the standards of religious liberty, when this was pleaded at its bar, were those of “accepted Christian conduct.”<sup>12</sup> it did no violence to Mormon elders in Utah comparable to what it would have done had it ruled against the overwhelming generations of men and



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women who disapproved of polygamy and who had, moreover, given their lives to carve this nation out of a wilderness. What future decisions equity may call for, as other forces, changing faiths and varying matters of public policy produce newer resultants, we do not know. It can be contended, however, that every citizen, as a just judge sitting in equity over the tangled affairs of life, must give to both Church and state a fair recognition of their inherent rights. We want no state-controlled church in America, and one that would echo the voice of government or be silenced by government would alike be tragic. On the other hand, we want no ecclesiasticism or federation of ecclesiasticisms to forget itself so far as to encroach on the secular sovereignty of the American state. That must make its own rules and see that they are enforced. What seems to be most needed is a sound knowledge of history and of present conditions—and equity for everyone.

## CHAPTER FIVE

### "TO FIGHT OR NOT TO FIGHT"



*A discussion of the war problem in the  
light of the Christian conscience.*

Is it ever right to go to war or to sanction war for any cause whatever? Officially and formally many Christian churches are saying *No* to this question by a series of resolutions and commitments which have been increasing in intensity and zeal. At the same time, other churches and churchmen are making qualified answers and refusing to condemn every soldier as a worker of evil and every warring government as an ally of Satan. In the great Oxford Conference of 1937, which was practically ecumenical in its scope, the "section" dealing with war struck an impasse after some of the ablest minds of Protestantism had spoken upon it. The editor of the *Christian Century* thus describes the debate:

For days the issue was debated. Canon Charles E. Raven, England's most competent exponent of the absolute pacifist position, led the discussion against the Archbishop of York who supported the position that, although the right of conscience should be recognized by the state, there is such a thing as a just war, and that loyalty to the Christian faith is not violated by a Christian citizen's participation in it. Some of the outstanding leaders of international thought in the world were members of this section. They ranged themselves on both sides of this

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issue. In the end it was found possible to unite only on the proposal to include a statement of both views in the report, and to declare that the conference was unable to agree upon a definition of Christian loyalty in terms of either view.<sup>1</sup>

There are several approaches which may be made to this subject; but it is the writer's purpose to discuss the entire question from the individual's standpoint, as that is the way in which it is presented to each person. There is no disagreement anywhere as to the horrible evil of war itself; for, as a cosmic calamity and a blot upon humanity, it is universally conceded to be the greatest scourge that mankind can possibly inflict upon itself. The "war system" has no professing friends anywhere, and modern man has set himself with all the skill he possesses to do away with it. But meanwhile there are wars declared or undeclared, and up to the present the great nations are not only capable of making war, some are now actually at war and others manifestly preparing to resort to war for the accomplishment of their purposes. The question at issue here, then, turns not on the evil of war as war, but on what the individual shall do about it when it breaks. As a veritable barrage of heated discussion has been overlaying this whole matter, let us break open the entire problem with a simple disjunctive condition:

Either (1) *Participation in war is always wrong;*  
or (2) *Participation in war is not always wrong.*

Here are two postulates upon either of which one may stand and maintain a consistent individual attitude toward war. No one can possibly hold to both, as they are mutually exclusive. If any participation at all in war may ever be considered right, the one so holding

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takes his place automatically under (2) above. If no participation in war is ever right, the one so holding must support postulate (1). Let us then look at both of these contradictory affirmations in their order and follow out the implications in each case.

### I

#### (1) *Participation in war is always wrong.*

Here is a categorical universal affirmative as sweeping as it is forthright. It denies that any possible motive, no matter how good, can ever excuse the making of war or the individual's participation in war. To use the vigorous words of a strong-minded Southern thinker: "And no crisis, no national emergency, no right of self-preservation, no obligation of self-defense, no altruistic imperialism, can be importuned as an excuse for doing something which in itself, and by its very nature, is a denial and crucifixion of love. War is sin." <sup>2</sup>

To like intent come the uncompromising words of many other leaders and church councils: "I am finally done with war," Dr. Fosdick asserts. "I will never again sanction war." In his speech printed in the *Congressional Record* of June 16, 1934, he rises to a crescendo: "I renounce war for its consequences, for the lies it lives on and propagates, for the undying hatreds it arouses, for the dictatorships it puts in place of democracy, for the starvation that stalks after it. I renounce war, and never again, directly or indirectly, will I sanction or support another. O Unknown Soldier, in penitent reparation I make you that pledge."

Group after group, secular as well as ecclesiastical, has echoed this chorus of renunciation, none more enthusiastically than the large gatherings of youth.



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But it remained for the ministers of the United States to show by their own signed statements just how overwhelmingly "religion has renounced war." In 1934, in answer to a questionnaire, 12,904 ministers affirmed that they were "personally prepared . . . not to sanction any future war or participate as an armed combatant."<sup>3</sup> As this was 67% of the 20,870 ministers who sent in replies, the sweeping nature of this ministerial abjuration will be patent at a glance. Add to this the official pronouncements of church after church emphasizing this trend; and although these formal ecclesiastical pronouncements are not so completely renunciatory as the ministerial declaration above, nevertheless, to suggest that there may possibly be a taking of arms for a war that might not be a moral mistake has been for some time a most unpopular doctrine in church and college circles. "War is sin." \*

So much for official pronouncements and the drift of churchly thought—unless recent events have forced a reconsideration. For, since most of the resolutions above were overwhelmingly adopted and pronouncements made, events have been taking place in the world which have proved a terrific jolt to those who assumed that the way to stop all war was to refuse to fight. In 1936 Mussolini moved his troops into Ethiopia and over the protests—indeed over the heated accusations of fifty-one other nations—deliberately conquered and annexed this once independent territory. The full story of Ethiopia has not been told; but a more ruthless, selfish, and cruel war has scarcely been waged in modern times. The Italian action at once threw into

\* Van Kirk's *Religion Renounces War* has carefully catalogued attitudes and pronouncements of churches and church leaders on this whole matter.

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high relief the righteousness of armed resistance on the part of the Ethiopians. There was no question about the callous, ruthless attitude of Italy. But what of the Abyssinians? Those who held to the premise above ("Participation in war is always wrong") were caught by their own words and were forced to hold Ethiopian resistance as a moral mistake. Their sympathies were given to the invaded people, but their Christian approval of resistance was perforce withheld. Tied to the postulate above, they might heatedly damn Italy, but they must likewise sadly damn Ethiopia. "No right of self-preservation, no obligation of self-defense can be importuned as an excuse." That fifty-one nations believed that an aggressor was relentlessly destroying Ethiopia had nothing to do with it. War is sin—and the thirteen thousand American ministers who voted to refuse to sanction any future war were compelled to refuse to sanction the pitiful attempts the Ethiopians made to withstand their enemies. At least that should have been their attitude, if sincerity and consistency mean anything.

Since that time, as well as before it, other international events have occurred which make it clear that no matter how many treaties have been signed or disclaimers put forth, war has *not* been renounced as a national policy. The annexation—practically that—of Manchukuo by Japan, accompanied by the 1932 bombardment of Shanghai; the conflict in Spain, where, as these words are being written, troops of the various nations are participating under their own colors and practically under the orders of their respective governments; last but not least, the terrible Sino-Japanese conflict in China—all this is with us, while a rearmament race between the great nations is going on with no

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apology. In the midst of such a tense situation, those who affirm that participation in war is always wrong must be prepared to condemn every soldier, no matter on what side he fights. They must deny to the victim of armed aggression the right of armed resistance, just as surely as they deny to the aggressor any righteousness. No Ethiopian had a right to fight the invading Italians, because all participation in war is wrong. No Chinese may be excused for his attempt to keep the Japanese from taking Shanghai or Nanking. If for one moment there be an admission that a "defensive war" can be excused, or if it be said that there might *possibly* arise in future a situation where taking up arms is the lesser of two evils, then the person so holding at once leaves postulate (1) above and takes his place under (2). The logic here is inescapable—let those who pass resolutions and utter statements realize it.

The writer is pressing this point insistently, not only because clear thinking and practical sincerity demand it, but because he is convinced that many good men have never faced the full implications of their own public statements. In the background of the thought of our American ministers is the rather naïve idea of keeping the United States out of war. As Dorothy Thompson ironically puts it:<sup>4</sup>

"... So long as you don't touch us, it's no concern of ours. Actually that is what we are saying with our present neutrality policy. We are saying: 'Break treaties, invade other nations, bomb cities, blockade ports, starve women and children, and we will take our ships off the seas and fold our hands. You can count on us doing nothing.'"

There is, in fact, as much provincialism as there is pacifism in the American mind when it comes to war,

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and those who assert that never again will they sanction any future war are usually thinking in terms of American participation only. If this truly be the fundamental thought, then let the resolutions condemning all war make that point clear. As it is, the usual resolutions against war do not so state, but treat of war as a worldwide, universal evil, which it really is. Morality knows no boundary lines, as all agree; but if men *are* thinking in terms of one region only when they condemn all war, or of one nation only, let them make that attitude certain in their public pronouncements. Otherwise, we must assume that they are dealing with universals. When the House of Bishops of the Protestant Episcopal Church declared in a pastoral letter, "War is murder on a colossal scale,"<sup>5</sup> their pronouncement can most certainly be construed as condemning as murderers the Ethiopians who were defending their homes in 1936, for these were waging war. When the Synod of the Reformed Presbyterian Church said in 1924, "War is essentially and inherently a supreme violation of the teachings and spirit of Jesus,"<sup>6</sup> it was saying in so many words that the Chinese defenders of Shanghai in 1937 were "supreme violators" of the teachings of the Lord. "Participation in war is always wrong."

"Of course," some one rejoins, "war is wrong, but in view of the world as it is, it is conceivable that it may be necessary at times. That, however, is not to approve it. It merely allows it until the better way of peace on earth shall have been learned."

This reply is equivocal. The question is not, Is war ever necessary? but, Is it ever right? To "allow it" or to hold it "necessary" is to approve, that is, to rest on postulate (2)—or so we must assume. Again we demand that the respondent choose his postulate. "Par-



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ticipation in war is always wrong or participation in war is *not* always wrong." Which?

"Oh, well," commented another, "I voted for the peace resolutions and have renounced war forever, in order to set an example. Practically, this may prove impossible, but the Church must hold up the ideal that the world shall later follow."

For this attitude, the writer has scant respect. It explains why "conference resolutions" are so often discounted by the very men who pass them. Certainly the Church must lead, but it will never lead with any forthrightness unless its *Yea* be *Yea* and its *Nay* be *Nay*. It comes quite close to insincerity to vote for, to champion publicly, something which in private one has no faith in. Let us have done with all pretense and declare the truth as we see it.

The writer believes that most of the men who have publicly renounced war are not insincere and will be willing to sustain all the consequences and implications of their professed belief—as they must. When Dr. Fosdick declares, "We mean precisely what we say. We will meet you in prison first,"<sup>7</sup> we take him at his word. So do we take all those other conscientious persons who really believe that it is always wrong to go to war, and that nothing can be more evil than recourse to arms. Let nations be enslaved, let hard-earned rights be blotted out, let injustice rise to the skies, let a ruthless dictatorship control the education and religion of millions yet to be born. Nothing, so these sincere people believe, can possibly justify the slaying and the burning and the horror of armed resistance. "War," said the Northern Baptist Convention of 1928, "is the supreme social sin." That being true, and the Baptist pronouncement being sincere, the conclusion follows:

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*"All participation in war, now and forevermore, is wrong."*

### II

LET US now look at the other postulate:

(2) *Participation in war is not always wrong.*

This, too, is a perfectly respectable thesis; and those who hold to it, including many Christian people, accept and admit every indictment leveled against the evils of war. At the same time, they insist that there may be wars of defense against aggressor powers, and that such wars, from the defender's standpoint, cannot be considered morally wrong, terrible as may be the consequences. They also assert—some do—that there may possibly come in future time the necessity for a war, or the use of armed forces, to support an ideal so worthy that those who join in this cannot be ruled out far in advance as doers of evil. "Perhaps it should be said that those wars are moral in themselves which redeem conditions worse than themselves," so Dr. S. Parkes Cadman put it.<sup>8</sup>

Protagonists of this viewpoint admit all the mistakes of the past. They well know that the tragic and bloody record written by war during the ages is packed against them. Likewise they are quite aware of the mountain of contempt that today is heaped upon the idea of a "holy war" or a "war to end war." They admit that holy wars have been anything but holy and have seen the one great "war to end war" scatter the seeds of all manner of after wars. Nevertheless, they hold to their postulate above and deprecate the attempt to lock up church or society to a set course through an unseen future. They have upon their side a certain deep-seated sense of justice, and, the writer believes, a more

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enduring philosophy than those who rule out all war as evil. Concerning the conflict in Ethiopia, for instance, they did not feel that the barefoot black men should be condemned for fighting the Italian invaders. When the terrible Sino-Japanese war of 1937 broke, they simply could not hold Chinese resistance to be a moral mistake, for "if there was ever a clear case of aggression, this is it," wrote E. Stanley Jones.<sup>9</sup> Neither are they sure that other cosmic disturbances which may arise in future may not provide like situations. As a certain college president expressed it: "I refuse to sign on the dotted line as to what will be right or wrong a hundred years from now. How do I know until that time comes?" Exactly—and those who hold to postulate (2) above are in position to make their decisions when the event impends. Thirty-six per cent of the ministers replying to Mr. Kirby Page's questionnaire felt this way about it and held that it might be possible to draw a distinction between defensive and offensive wars.

This, of course, is not to blink the power of propaganda, nor does it overlook the "defense" excuse which every aggressor always puts forth. Neither does it swallow unthinkingly all the manifold apologies for militarism, for profits on armament, or for naval superiority. It simply asserts that there might possibly be—not *will be*, but *might be*—in the future a war where one side will be definitely right and the other definitely wrong; where the victory of the wrong by force would prove a cosmic calamity of such untold evil that the Christian conscience itself should feel that to refuse to assist the right would be an evil greater than war itself. In other words, they refuse to say that now and forevermore participation in war will always be wrong.

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### III

AT bottom, the whole trouble in dealing with the complex problem of modern war arises from a refusal to face the fact, the nature, and the consequences of *moral evil* in this world. There *is* evil in the world, not in nature, nor in the handiwork of God, but in the heart of man. There will be evil there perhaps for generations yet to come, until the will of God shall be done by all on earth as it is done by all in Heaven. It is this truth and its implications which are so cavalierly brushed aside by those who rule out as unnecessary and immoral every resort to armed power. For—and this is the crux of it—*the ultimate control of moral wrong in this world must be by force*. If the world is to have a chance to be governed ultimately by right and not by wrong, it must be consented that, after all other expedients have been tried, force shall be relied upon. And force, whether it be the corner policeman or a line of dreadnoughts, is essentially the same, and its use or abuse creates moral hazards and responsibilities of exactly the same sort.

As the writer's thesis that "the ultimate control of moral wrong in this world must be by force" is apt to be misunderstood, and has been misquoted as well as bitterly assailed, it will be necessary to explain it carefully both as to definition and meaning.

It is *not* an assertion that "the world will ultimately be ruled by force." The writer has faith to believe that eventually mankind everywhere will in his own moral nature transcend the need for those compulsions which he now finds necessary, and by the grace of God come into the Kingdom of goodness. This will be a moral and spiritual metamorphosis, and when all men have become good, the problem of dealing with men



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who are not good will disappear. But as long as there are bad men in the world—in high position or low—society large or small will have to reckon with their presence, their intent, their actions.

It is the *control* of evil of which we are now treating, not its eradication or annihilation. Evil can be denatured or destroyed only by moral suasion and the incalculable but mighty processes of the spirit. All the armies and navies of the world, and indeed Almighty God himself—we say it reverently—cannot make one man good or bad.<sup>10</sup>

Morality is not subject to power—certainly not personal, private morality. No one thinks it is, nor would this writer support for one moment the contention that force can “make the world good,” or that power can be used to “overcome” evil in the sense of changing or denaturing it. But power *can* overcome certain *manifestations* of evil and many outward expressions of it. We do not expect our police to make men good, but we do expect them to make men “be good” within limits—as indeed they do.

All the power of government may not keep a man from having murder in his heart, for a man’s intent to kill cannot be reached by governmental processes. But his outward actions can be, and the penitentiary and electric chair represent crude but necessary agencies in the effort to control or prevent threatened or intended murders. These agencies are not ideal and certainly not always effective. They represent, in fact, a horrible attempt to guard against a more horrible thing—but they are the best society can do to *control* an evil which all its other processes have been unable to reach. The ultimate *control*, we say, of moral evil in the world must be by force.

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The word "ultimate" here should also be given its proper weight. No one advises the use of force even for the control of evil until all other methods have been tried and found wanting. Moral suasion, pleadings, remonstrance—every effort which gives any promise of making a bad man good, or of preventing an evil man or evil nation from committing an outward act of evil should be tried and tried repeatedly before there is any thought of applying coercion. The writer's assertion is simply that *ultimately*, after everything else has been tried, *if* evil persists, and is to be controlled at all, *force* will remain as the only thing able to do it—if, indeed, force itself can accomplish that result.

I have gone into this matter more deeply perhaps than it warrants, because my contention that the ultimate control of evil in this world must be by force is usually the signal for a series of heated rejoinders. "I don't believe in overcoming evil with more evil, but with *good*," was the comment of one distinguished churchman.

This rejoinder, while clever and effective in public debate, confuses the issue. Everything turns upon the meaning of the word *overcome*. If to *overcome evil* means to denature it, to do away with it in the heart of another so that a bad man becomes good, then, as we have made sufficiently clear, nothing but goodness and moral suasion will suffice—the fundamental technique of Christianity. But if to *overcome evil* means to *control* it, to conquer it in the sense that an evil person or evil society shall not be allowed to perpetrate evil upon others, then, as we have likewise made clear, superior power may at times become necessary. What the writer insists on as the capstone and keystone of the

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argument here is that if evil is to be controlled, all else failing, it will take force to do it.

### IV

So far there is no great difference of opinion as to the underlying philosophy here. It is allowed on all sides, by all Christian philosophers, as well as by the jurists of the world, that criminal and anti-social persons and organizations must needs be controlled; and it is also generally admitted that the use of force for this purpose is not wrong. That society must be policed is conceded on every hand. Where a real break comes in the ranks of present-day Christian thinkers is over the question as to whether or not the use of the armed forces of a nation may be regarded as in any way comparable to the exercise of the police power. That is to say, may a nation conceivably use its military and naval establishment for the purpose of enforcing righteous laws or supporting a high idealism against anti-social communities or criminal nations?

"Yes," say some, dropping into the well-worn grooves of all the apologists for all the wars of the mistaken past. "There are outlaw nations, gangster nations, appearing in the world from time to time. Even those nations whose people might otherwise be peace-loving can sometimes be controlled by sinister rulers and be misled by evil propaganda. In fighting against their unrighteous might, even by force of arms, the good nations are merely attempting to police the world."

"No," respond the pacifists of every tribe and creed, rejecting this answer with disdain. "By no stretch of the imagination can a nation taking up arms against another nation be regarded as a policeman trying to

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enforce justice or preserve human liberty. War is the supreme affront to all justice, the end of all liberty." All pacifists, although they may differ on everything else, unite here. "The dogs of war are not safe guardians for the house of peace," Devere Allen expressed it.

Mr. Kirby Page does indeed allow that there are a number of points of similarity between the war-making and police powers of a nation, but he draws the distinction between them as follows:

(1) The police function as neutral third parties for the purpose of restraining criminals and bringing them before a judicial body for trial and judgment. In war, force is used by the belligerents themselves, no effort being made to bring evil-doers before a judicial body, each army acting as sheriff, judge, jury, and executioner, usually under the sway of passion.

(2) The police take action against the criminal himself; they do not kill his family and friends. Whereas war does not deal merely with guilty men, but destroys multitudes of innocent people; indeed, it does far more damage to the innocent than to the guilty. The police of one city are not used against the police of another city.

(3) There is a fundamental difference in the situation which confronts the police and the army. In order to protect society, the police are compelled to restrain or convert the criminal himself; whereas in a national situation it is possible to deal with criminal rulers or officials by strengthening the groups within that country which are opposed to military aggression.

(4) The police actually do serve as a constructive and redemptive force in society, in spite of many miscarriages of justice and occasional misuse of power. Modern war—whatever may be said about wars of previous generations—in actual operation is not constructive but so enormously destructive as to menace the existence of our civilization.



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In the aggregate it neither protects the innocent nor redeems the guilty. Society would not tolerate a police system which killed a hundred innocent people for every person protected from a criminal. Is it any more reasonable to support a war system that has such a result?" <sup>11</sup>

Allowing these objections full force, we believe that they do not quite reach the practical situation as it now faces the world. Even should it be admitted that there is no analogy between the war-making power of a nation and the exercise of a police force, the stark question still stands: What shall be done when one nation decides to make war upon another, as Italy, for instance, did with Ethiopia, or Japan with China?

There is no third party comparable to a police magistrate. There is no superior tribunal which an aggressor nation will respect. Even though all adopt Mr. Page's viewpoint and agree that a nation is not exercising anything like a police power when it meets force with force, what else is left? After Haile Selassie had appealed to the League of Nations in 1936, after he had remonstrated to the Italian Government, and to the entire world against the Italian invasion, after he had heard fifty-one nations declare that he was the aggrieved party, he, nevertheless, saw the Italians continue to come on with transports, tanks, planes, and the flame and death of invasion. Nothing could or would have stopped them but superior force—and that the other nations did not care—or dare—to put forth. Even if they had, on the principle that they were "policing the world"—which they might have claimed with some justice—and we should decide with Mr. Page that their action was not policing at all but was waging a horrible war—even so, superior force, war, police, or whatever

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it be called, was the only thing that could then have stopped the aggression.

Furthermore, the argument of Mr. Page that the police arrest the criminal, but do not kill his family, is not quite so thoroughgoing as appears. When the police arrest a criminal, his family is humiliated; and wives and mothers have been brought to their graves because the prison or gallows has cut short the hopes once fondly centered on a husband or son. This is very terrible; but society sees no way to deal with a criminal without inflicting mental and sometimes even physical hardship and suffering upon those who are close to him. Indeed, should a gangster shut himself up with his family to assist him, and shoot at all passers-by with a high-powered rifle, so that he could not be dislodged without risking the death of many policemen, it might be a question with the authorities whether or not they would be justified in attacking him with such weapons that the lives of the others with him might also be forfeit. Practically, such a situation in a local community is usually solved by the use of tear gas or non-deadly weapons, but on a national and international scale the circumstances become vastly more menacing.

It is indeed terrible to think of a great people being visited with death and destruction because of the wrongdoing of their government or because of the false nationalistic fires which they may be following; but the tragedy of the world today lies in the fact that when such a nation does make war, it must either be allowed its way or be met by war in return. "It takes two to make an agreement," observes Mr. Hamilton Fish Armstrong.<sup>12</sup> "It takes only one to make a war."

Mr. Page in his paragraph (3) quoted above speaks of "strengthening the groups within the country which

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are opposed to military aggression." The desire is worthy but the promise of success very small in any immediate emergency. With newspapers, radios, and all the avenues of popular information in the hands of an iron government, there is small chance of any pacific group registering against it. When the whole Italian people stood behind Mussolini—to return again to this truly "horrible example"—how could he and his plans have been brought to naught without injuring the people he controlled? The real question becomes: Would it have been worth it—that is, would a war to stop Italy have been worth the cost and hatred of its own dreadful effects?

Suppose Europe had been plunged into war to protect Abyssinia. Suppose fifty thousand British boys were now lying dead in long silent rows, and as many Italian, while the warships of both nations were rusting on the bottom of the Mediterranean—would the situation today be any better for all that death and destruction? Is it not better to have allowed Mussolini to wipe out the black men on their rocky highlands, burn their thatched villages, and so make a greater Italy with a greater and better government for Abyssinia than those benighted people have ever been able to give themselves?

"Yes," say many political realists, "it simply wasn't worth the price. Think of all the many dead soldiers, the sorrowing homes, and the banked up hatreds that would last a hundred years."

"No," respond others. "Something priceless, something the world had been working toward a long time, went up in smoke when Britain and the other nations refused to pay the price in 1936. An independent nation has been wiped out by ruthless force of arms—

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and none would dare help. A bloody notice has been served on all other nations that they may expect the same treatment *if* they do not prepare to defend themselves. White liberty as well as black went down before the Italian machine guns."

### V

BUT now comes a better grounded dissent to all war-making—the spirit and teaching of the Christian religion. Whatever be the logic of circumstances, or the implications of complete pacifism, can one who is a follower of Jesus of Nazareth countenance in any way the murder and hatred that is war? "Enough of these blasphemous efforts to put the Prince of Peace in khaki," exclaimed one. "No one in the name of the non-resisting Jesus can counsel mass murder. He who commands his followers to 'love their enemies' will not allow them to harm any man; and the Christ who forced Peter to put up his sword will not permit a modern follower to use a machine gun or a war-plane. By no process of reasoning can Christ be made to approve war."

If this be true, there is an end of it, for the will of Christ is final for every Christian, no matter what that will may demand. But that the assertion above is a true and universal interpretation of the mind of Christ is not so clear, else the great Oxford Conference of 1937 had not divided so intensely on the matter, with Canon Raven sure that he was right, and the Archbishop of York sure that he was right. Both men, with all their supporters, would instantly yield to the will of their Lord, should that will be made unmistakably clear to them. That it is not clear is evident from their present division. In the circumstances the



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best that can be done is to turn to the teachings of Jesus on this subject, as the Gospels reveal it; and, secondarily, to look at the thought and practice of the Church from primitive times until now, as it has interpreted or misinterpreted these teachings. This we shall do in this section.

. . . . .

Dr. John Cadoux in his scholarly study of *The Early Christian Attitude Toward War* makes it clear that the "war issue," as we know it today, was scarcely present in the thought of the ordinary man at the time of Jesus. It was not present at all to Jesus and his apostles, for they were Jews, and no Jew could be admitted to the legions. Neither could any slave. As the first Christians were Jewish, and as many early and later converts were slaves, the question as to whether or not it was right for them to fight in war never entered their heads. Nor in practice were Gentile converts much more concerned, since the emperors never had any trouble in filling the legions from the more warlike people living on the northern and western fringe of the Roman world. All of this is enough to show that "to fight or not to fight" was not a question that the earliest Christians had to worry over.

Another feature of first century life, important to this study, had to do with the coalescing of what we call the police and the military power. Soldiers were the police of the ancient world, as they are today in many lands. In the time of Jesus and Paul, the centurion or pro-consul found it part of his duty to act as magistrate for the trial of offenders and for the maintenance of order. A detail of soldiers, it may be re-

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membered, crucified Jesus, with a centurion there to see that the deed was done. Those early Christians who objected to all military service were, therefore, just as much opposed to magisterial service and to prosecuting criminals at law as they were to fighting barbarians! Their objection to the soldier's profession carried with it necessarily some objection to his duties as one who kept order in the streets or temple.<sup>13</sup> As a matter of fact, many early Christians did object to both types of duty and refused to allow a magistrate to become a Christian unless he would first give up his office!—a fact which should give pause to those persons who today affirm that the police power is right but the military power never is. The primitive Christian was certainly not afraid to go all the way, and he did not shrink from the implications of his complete non-resistant philosophy.

Jesus himself, it is clear, counseled non-resistance on the part of his followers, but again the question must be asked: How wide or deep did he expect non-resistance to go? Would he have wanted it to apply to criminals? Does "resist not evil" mean for the Christian to unlock his doors at night so that the evil of nocturnal thievery may be unresisted? Professor Bethune-Baker says that non-resistance in its wider applications would be "so disastrous socially that Jesus could not possibly have taught it," and Loisy, the French scholar, declares that "a country where all the good people conformed to these maxims would, instead of resembling the kingdom of heaven, be the paradise of thieves and criminals."<sup>14</sup>

Certainly Jesus did not condemn magistracy; he paid his Roman taxes, which supported a vast military establishment; he counseled rendering unto Caesar the things

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of Caesar; he did not reprimand the centurion whose servant he healed nor tell him he did wrong to be a centurion; he said no direct word against military service. He used an illustration of a king going to war, and made reference to judges and magistrates haling men to prison, as if this were all commonplace and needed no comment. On the other hand, Jesus of Nazareth deserves above all others that gracious title, "The Prince of Peace." To turn the other cheek, to go two miles when compelled to go only one, to return good for evil, to pray for those who spitefully use one—all this he taught, coupling his precepts with an example that is august in its simplicity. He would not allow Peter to draw a sword in his own defense; and although he admitted to Pilate that he had legions of angels which might defend him, he refused to call them, neither would he allow his servants to fight, as his kingdom was "not of this world." His technique and that of his first followers was almost universally one of love and never of force.

The one occasion where Jesus adopted force had to do with the cleansing of the temple, as it is called. About this incident, the storms of controversy have never ceased to rage. The account has been attacked in text and in content; and it has been called everything from an interpolation to an allegory. That Jesus could make a whip—of all instruments!—and drive out the money-changers, men as well as animals, is esteemed at such variance with his whole career that many Christians simply will not accept it.<sup>15</sup> Straining at the gnat that the text provides, they swallow some fearful and wonderful camels of interpretation. "The whip was for the animals." "He used his moral force only, and by the power of righteousness cast them out." But

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either he was pretending (when he made that whip) or he meant to use it—and perhaps did. All accounts agree that he did drive out the sheep and oxen, and overturned the tables, scattering the coins—which was most certainly a use of physical power, to say the least.

What is the answer here? The writer hesitates to advance any theory upon the ground heavily tramped by the commentators of the past; but may it not be suggested that the difference between the sweet submissiveness of Jesus when it came to his own life, and his indignant entrance into the temple, had to do with the difference between his own personal fortunes and readiness to obey the Father's will, and a desecrating of the holy things of God. He saw a mob with sticks and staves come to take him to a cross, and he would not fight back nor allow a blow to be struck in his defense; He saw the temple of the most High God defiled with bleating sheep and lowing oxen, and the sanctuary that was to be a house of prayer for all people turned into a den of thieves—and he plaited a whip and redeemed the sacred precincts in a swirl of holy wrath. "Even on Jesus himself," Devere Allen admits, "pacifism cannot lean too heavily."<sup>16</sup>

## VI

GOING on to take up the attitude of the early Christians toward war and toward service of the state, we find that modern scholars are at odds, just as they were over the wider implications of the teaching of Jesus. Dr. John Cadoux, who cites a wealth of references to sustain his contention, holds that the early Church, although not greatly troubled over the possibility of Christians getting caught in military service, was definitely against such service. Their objection was



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to the "sin of murder—that deadly sin that sufficed to keep the man guilty of it permanently outside the Christian community."<sup>17</sup> Cadoux relies heavily upon Origen in defining the attitude of the primitive Church, as he does upon Tertullian for a somewhat later viewpoint. It would be tedious to cite all his references and to balance the pros and cons of many opposing patristic citations; but suffice it to say the Cadoux does make out a strong case, showing that there was a general objection on the part of primitive Christians both toward going to war and toward serving as magistrates. Tertullian perhaps summed all this up by saying that it was "more lawful to be slain than to slay."<sup>18</sup> In one vigorous outburst Tertullian came out like a modern pacifist:

"Is the laurel of triumph made up of leaves or of corpses? Is it decorated with ribbons or tombs? Is it besmeared with ointments or with the tears of wives and mothers, perhaps those of some men who are Christians, for Christ is among the Barbarians as well." <sup>19</sup>

Origen, at an earlier date than Tertullian, took up a great deal of space in justifying Christians for their aloofness from all forms of violence in the service of the state, whether as magistrates or soldiers. But other authorities interpreting the early Christian ages do not agree with Dr. Cadoux, nor are they impressed by his citations from Origen or Tertullian. Bestman, Bethune-Baker, Cunningham, and the great Harnack all held that the primitive Church was not nearly so opposed to war as certain modern apologists hold. Sir William Ramsey declares that the Church as a whole never sanctioned a prohibition forbidding her men to act as soldiers or as magistrates; and in commenting on

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Tertullian's objection to Christians serving as soldiers, Harnack says that this was "something new, never heard of until then."<sup>20</sup> Tertullian himself admits that many of his Christian contemporaries did not agree with him in his attitude. Apparently the ancient fathers had as many different opinions among them as do the moderns.

Dr. Cadoux blames St. Paul for actions and attitudes which he feels did much to break down the naïve philosophy that the early Church might otherwise have followed. Cadoux objects that Paul did not reprimand the Philippian jailer for being a jailer;<sup>21</sup> that he showed coarse antipathy by wishing that the Judaizers were "cut off";<sup>22</sup> that he had no business to consign the incestuous Corinthian to Satan,<sup>23</sup> nor to send word to the captain of the guard about the plot to take his own life. Lastly, Cadoux feels that Paul should not have appealed to Caesar,<sup>24</sup> as this was reliance upon a worldly power. Cadoux holds that when he did this the great apostle broke away from the strict teaching which Jesus, whose Kingdom was not of this world, would have had him follow.

Rightly or wrongly, however, these things Paul did; and there are many who feel that in them—especially in the appeal to Caesar—the apostle was doing no more than demanding as a Christian, as well as a Roman, that fundamental justice and order shall undergird the rights of all men in earth or heaven.

It is understood, of course, that the teachings and injunctions of the early Christians were entirely and solely *for Christians*.<sup>25</sup> "What the non-believer did was no business of the Church." This helps to explain Origen's otherwise incomprehensible attitude. While holding that it was forbidden a Christian to go to war, Origen himself said that wars of defense on the part of

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non-Christians are perfectly all right! <sup>26</sup> When criticized for praying for the success of the emperor's soldiers, since he did not think it right for Christians to join them, Origen replied that one who thought it wrong for himself to fight might recognize that one side was better than the other; and "While neither was acting in a Christian way, a Christian might wish that one might prevail over the other, and pray for such a victory." <sup>27</sup> Likewise Tertullian forgot his non-resister's position when he beheld the horrible gladiatorial sports and exclaimed that it was a good thing when evildoers were punished.

The truth is that Origen, Tertullian, and other early Fathers (we except Paul, Clement of Alexandria, and a few other tough-minded) never quite faced the implications of Christian citizenship in its wider sense—just as some modern Christians fail to do. As long as the Christians were a small group, protected in their lives and property by those very magistrates and soldiers whom they refused to join—that was one thing. When they grew in numbers until they were a great part of society and finally became the dominant group in an earthly state—that was something else, entailing actions and attitudes never before needed.

Signs are not wanting that the early Church was glad that the pagan magistrate did not "bear the sword in vain," and that the Church could rest secure in mind and able to preach its gospel unhindered throughout the whole world as long as the mighty, sleepless legions kept their watch along the Danube or far out on the Arabian sands. Keeping those legions there, or nailing malefactors to crosses, was no business of the ordinary Christian. Later on, it perforce became his business when he found the world turned into his hands; and he

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at once began to do things differently, in line with the ethos of his Faith. He did away with crucifixion, later with torture, and then with all "cruel or unusual punishments." He mitigated the barbarities of warfare and developed the crude flower of chivalry in the midst of the Dark Ages. Today he is demanding that the world work out a technique for terrestrial peace. But he still keeps his jails and police, and, although distressed and troubled in mind and conscience over armaments, is sadly wondering how all these may be dispensed with in a world where evil does not always yield to love.

### VII

"BUT why control evil at all?" someone asks at this point. "Why not do as did the early non-resisting Christians, who felt it better to be slain than to slay? What business is it of ours to overcome might with might or try to police the world? If other men or nations do wrong, their sins be upon their own heads. As far as we are concerned, let us suffer any affliction, let us see any evil flourish rather than try to ward it off with the sword—or with *force*, if you want that term. Good can never come by doing wrong; peace will never be made by the sword."

This is a noble rejoinder and when sincerely uttered is in keeping with the lofty ethos and other-worldly hope of Christianity. That this represents the attitude of the early Church, certainly of a large section of it, we are prepared to admit. Some say it should be our philosophy today. We are not at this instant saying that it should be or should not be. What we do say is that if this is to be our philosophy, if we do find it right in our day to adopt a complete non-resistant policy, we must adopt with it the same other-worldly hope which



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animated the early Church—and give this world up for lost. That is exactly what the early Christians did, and it goes a long way toward explaining many of their actions.

It never occurred to those first century Christians that they had a mission to “redeem society,” as we understand the term, or to further moral sanitation over the world. They had a mission to redeem immortal souls, and it was their hope to save out of a perishing world as many as they could. To envision this world itself as a place where the Kingdom of God might be set up—that they never were able to do. They expected the earth to be destroyed by fire and a new heaven and a new earth to appear, and they were looking for this event at almost any moment. In the light of that hope and expectation, it is easy to see how any move toward “Christianizing the social order” or pressing for better laws in a corrupt empire would have seemed ridiculous—indeed, inexplicable. What had they to do with trying to manage an evil empire which was on the point of destruction? The world was rotten and lost, and to get out of it either by death or by the coming of the Lord—that was the solution for the primitive Christian. Therefore he resisted not evil. Why should he? What good would it have done? What could he or would he have accomplished?

Given this background of other-worldly hope and expectation, we can comprehend without great difficulty many of the attitudes the early Christian took toward government, war, and social organization. But it always gives us a shock to see how far he carried it. We are not surprised to discover that when it came to his own life and possessions, the primitive Christian felt that he must not resist evil. But that he would not

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resist it when he saw it oppressing others—that is a jolt to our conception of right. That a good man may be willing to suffer all manner of personal affronts and indignities in order to keep the peace—that we can understand; but that the same good man will stand idly by and see evil wreaking vengeance on the poor and the helpless and feel that he must continue to keep the peace and resist not evil—that we cannot understand. As a matter of fact, Christians today feel that they have a duty—a high and holy one—to see that childhood is protected and that the weak and the aged are cared for. In our Christian society it would be thought criminal should we allow the aged to be cast out, or the helpless to be robbed or slain, if we have power to prevent it. But in the writings of the early Fathers of the Christian Church (if we may believe Dr. Cadoux) there is scarcely a scintilla of evidence that they were concerned over protecting the weak or felt any obligation toward preventing evil from exploiting childhood or robbing the poor. Dr. Cadoux, who defends the non-resistant Christian in all else, admits that this appears strange, but excuses it on the ground that what a primitive Christian did not feel he had a right to do for himself, he had no right to do for another.<sup>28</sup> “In the use of violence and injury for the defense of others, the Christian sees a policy which he is forbidden *ex hypothesi* to use in his own defense—and that for a reason as valid in the case of others’ sufferings as in that of his own, the absolute prohibition of injury.”

When we translate this into modern terms it means that no Christian may ever injure anyone. Therefore, if a ruffian were beating a child, one’s Christian duty would be to pity both of them—the child for his sufferings and the ruffian for his lost soul. But using force

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to stop the ruffian would be wrong, as it would mean harm and injury to another person and "peace can never come from strife."

If this was truly the philosophy of the early Church, we have certainly come a long way from it—thank God! To see evil ruthlessly trampling on precious rights and do nothing about it—if this indeed be first-century Christian ethic, then, we say reverently but forcefully, we want none of it. Better the bizarre aberrations of medieval chivalry, as it ran around in circles looking for distressed damsels to rescue, better the ridiculous asininity of a Quixote than a pusillanimous withdrawal from the obligations of Christian manhood.

To be sure, we must not forget the premise on which the primitive Christian posited his action—or inaction: that this world was not his home, and that even if it were, it was not going to last long enough for him to do very much about improving it. As a matter of fact, there has always been a school of thought in the Church which has emphasized this other-worldly view. But as the years rolled by and the end did not come, the sharp expectation of the primitive Church began to lose its force, and at the same time Christianity increased in numbers and influence. Having to live in this world, with its own members becoming a larger and larger part of the social order, sharing both its dangers and obligations, its responsibilities and duties, the Church decided to do something about making the world a better place in which to live. So it came about in time that, rather than consign the whole universe to destruction and hopefully await that event, Christian thought began to busy itself with the idea of redeeming the present world, of blotting out all evil and bringing the Kingdom of God to earth. Today we are in the full

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glory of that expectation, and the poet envisions Christ walking "Not on Gennesaret but Thames." Heaven is to be "in England's green and pleasant land"—or perhaps in America's. The "social Gospel" is today on in full blast, and to achieve results many a modern preacher goes out of the pulpit, occasionally mounts the forum, visits the lobby of the legislature, and perhaps checks the precinct polling list. He has his reward, and we shall not belittle his efforts by a comparison with those of the Church of other ages. Especially do we look with favor upon his obsession to make this a warless world. But what we do question is the naïve way in which he is seeking an earthly goal by using a method which the early Christian employed solely to obtain a heavenly crown. It was a perfectly consistent proceeding for the first-century believer to be a pure non-resister, since his hope was not in this world. It is an entirely different matter for a present-day Christian, whose hope, or whose immediate goal at least, *is* here. If our modern pacifists and non-resisters should frankly avow that they despair of this world but intend to follow their policy to the end, no matter what the cost, that they may reap their reward in heaven, we should honor them for their courage, and some of us might find conscience to follow them in their way. There are clear thinkers who do wonder very seriously if, after all, the primitive way was not the best. It may be that in a very real sense this world is not our home and that we do wrong to put so much energy and time on the efforts to improve it, when, as old-fashioned conservative preachers used to declare, we had better be saving souls out of it, not society in it. That, however, is no part of our argument. What is important is that there shall be no illusions about these diverse goals



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and the vastly different technique each calls for. Especially should our modern group of social reformers awaken to the incongruity of their this-world goal and their other-world method. They insist that in this world a policy of complete pacifism is the only way to achieve a completely pacified world. This does not follow at all, though it may go a long way to help. A choice must be made. Be non-resisters of evil, as were the early Christians, and despair of this world; or, if we want this world "Christianly ordered," be resisters of evil and frankly accept the unlovely and costly obligation of relying on force from time to time. The two techniques cannot be confused. Each has a certain validity, given its goal. But to adopt the technique of one in order to attain the goal of the other is impossible. And yet that is exactly the policy many Christian thinkers are calling for today, with a confusion of goals, a confusion of technique, and most of all a confusion in their own minds.

### VIII

It is now time to consider carefully the actual application and effect of the technique of force, when that is applied toward the attainment of an earthly goal—such as keeping order, defending one's land, or even policing the world. The love-technique, as has been stated, is the prime process of Christian society; and when it does succeed, it establishes all relations on a stable and enduring basis. It is the technique which the Christian man or the Christian nation—indeed any wise man or wise nation—will always try first, and it should never be discarded unless and until it meets incorrigible evil. But when it is abandoned, when that ultimate hour comes when armed evil cannot be touched by any appeal to reason or plea of righteousness, and when to

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meet force with force is the only thing left, what then? What compulsions shall be relied upon by the good man or good nation so that an evil which cannot be controlled otherwise shall be overcome by superior might? This is the question we now propose to take up.

It will be understood, of course, that when the writer refers to *force* in this chapter, or to the force-technique, he is speaking of that compulsion which one person or group of persons exerts upon another or others in order to make them follow some particular outward course. While treating more particularly of war, the writer takes up the whole subject of coercion in the broadest possible way, as only thus may the underlying principles be made clear. War is the ultimate in the way of physical coercion among human beings in this world, and as we shall presently show, may be regarded as almost a separate process in itself; but no understanding of the whole question of war can be obtained unless it is always kept in mind that war does fall under the category of force.

We block out as beyond the reach of this discussion many acts and situations which, while compulsive in intent, do not go so far as to utilize actual armed might. "Never try iron until you have first tried gold," was a maxim of Philip of Macedon, who was quite successful in trying both. Paying a person or nation to engage in a certain course of conduct, offering rewards, or other inducements, will often secure services or determine the activities of others in a way that no threat of violence could ever have commanded. Into all this area we cannot here enter, nor discuss whether or not the pen is mightier than the sword. The compulsion of which we particularly treat has to do with the use of armed

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men, or of coercive sanctions of vast power, as between one nation and another, or sometimes even within a nation itself. And as almost every page of history makes plain, there is and has been a tremendous amount of such coercion in the world. Indeed, Reinhold Niebuhr holds that "while no state can maintain its unity purely by coercion, neither can it preserve itself without coercion . . . even religious communities resort to coercion to preserve their unity." <sup>29</sup>

But good rulers and good governments everywhere are always eager to have their rule obeyed with a minimum of objection or tension. They, therefore, never care to exert force unless compelled to do so, and always a wise government avoids the crass, crude utilization of armed power if its object can be attained without it. Established governments usually find that a very small police force is all that is needed for the protection of society. A riot, of course, may bring out the "reserves," and great disorders call out "the troops," while rebellion on a large scale may necessitate the use of planes, masses of soldiery, and artillery. Coercion thus becomes a matter of degree. But from the brass buttons on the policeman's coat to the sixteen-inch gun on the superdreadnought, the force element is always in evidence. It all represents power to compel obedience to a human will, whether that will be individual, as with a dictator, or collective, as in a democracy; whether that will be good or bad, whether it be exerted to guard a ball park or to keep a treaty from being flouted. All falls under the category of force or power; and power, like every other human endowment, is subject to the law of use and abuse.

War is by no means the first method resorted to when a nation sets out to "achieve its objectives." There are,

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of course, "touchy" nations which may fight upon small provocation; but under the aegis of international law and the customs of the great peoples of the world, there are several processes which are usually put into practice before war is actually declared. Of these processes, diplomacy is the first commonly relied upon, and many have been its unsung and unseen victories. Where diplomacy falls short, there may come the actual putting into effect of a "strong" policy. The movement of a nation's fleet, or the shifting of its armies, the embargo, the boycott, reprisal and blockade, the severance of diplomatic relations—each of these represents an effort short of war which a nation may adopt in order to bend another nation to its will. But let there be no mistake about these steps themselves. Each of them is in reality a manifestation of force, and seeks to gain its ends by the adoption of a force-technique. Quite a few peace-loving and peace-hoping people today will uncritically approve any of these moves (except reprisal, which is usually a single act of war itself), if they promise success against an aggressor power, and if they do not "lead to war." But as no one ever knows whether or not any of these steps *will* lead to war, and as they do not promise success unless a nation is willing and able to back them by making war, the weakness of such position is quite manifest. If we see a ruffian assaulting a child and can make him desist by slapping him in the face, let us slap him; but if our slap will make him fight us, we had better not slap, for fighting between men is wrong!

This whole matter has recently come to the fore over the proposed boycott of Japan, as called for by certain Christian leaders in the United States and Great Britain. The sympathy of the Anglo-Saxon world has been



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overwhelmingly with China—and justly so, on account of the present invasion by Japan. Therefore it was proposed, notably by Dr. E. Stanley Jones in America, that the other nations, led by the Christian people of America, apply a boycott to Japanese goods and so cripple the aggressor nation. "We have given our moral condemnation and now that moral condemnation must be implemented in fact by economic withdrawal," argued Dr. Jones. "We must not economically support what we morally condemn."<sup>30</sup>

Such a move would not have been war, but it would have been an application of force. In effect, the boycotters would have been relying on one kind of force just as surely as the Mikado's men were relying on a more destructive type of force. Certain types of well-intentioned pacifists have been slow to recognize this fact—but the diplomats and governmental heads of the world have not. They know exactly what a boycott means, and are under no illusions as to what the boycotted nation will think of the process. The suggestion that Japan be boycotted by Britain and America was frowned on at once by the British and American governments. Many church leaders likewise refused to approve boycott, recognizing that such a hostile and effective move on a nation-wide scale would be almost an act of war. "The economic sanction is not a substitute for war or military action, but rather a provoker of war," Mr. John Nevin Sayre argued against Dr. Stanley Jones' suggestion.

A boycott, a blockage, or a "quarantine," to quote President F. D. Roosevelt's cryptic word, may be needed, and may be right. Indeed, the author is one who thinks that at times it is. But let there be no mistake about the thing itself. Any type of national com-

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pulsion of the sort named above falls under the head of the force-technique, and must be viewed accordingly. At times, it may be right; at times, wrong or inadvisable. It has special hazards and risks as well as special successes to its credit. It may be that blockade and boycott will prove the most effective weapons which the nations may use in future years to "hold one fretful realm in awe." If so, let them apply these sanctions with a full realization of what they mean—and with a full intent to police the world for human justice and liberty. But to make these lesser means effective, there must be a full determination to put through the whole unlovely process. The failure of the economic sanctions voted against Italy in 1936 has caused some faint-hearted persons to feel that such methods should never be relied upon at all. They should not be unless they are fully and powerfully applied. That they were not so applied in 1936, the world has come to believe was due to a selfish, under-cover understanding between Italy and France. In the world state that shall be, let it be hoped that if force is needed, the comparatively bloodless force of blockade and boycott will prove sufficient. But even then, let these moves never be enterprised at all unless it is determined that if they fail, more potent moves will be made at once. Never slap a ruffian who is assaulting a child unless you are ready or willing to fight him.

## IX

THE use of minor compulsive powers, however, is very different from carrying on war. Blockades and embargoes, boycotts and reprisals, may be classed as war-like moves, but they fall far short of the thing itself. War is so gigantic in its scope and so devastating in its

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effects as to be a monster of an almost different species. In contrast to lesser compulsive moves, war does something lasting and terrible to the people who carry it on. "If a nation should start to run amuck," explains Bishop F. J. McConnell, "the attacking nations are soon crazy also. The mental effect of the war spirit is fully as disastrous as the havoc wrought by war. . . . Modern warfare is a struggle between nations that have become all but mad. None of the ordinary reasons for the use of force within the nation hold at all. The insanity becomes that in which all share."<sup>31</sup>

Although the writer does not admit that the "ordinary reasons for the use of force within the nation" never hold with reference to war, nor that the "effect of the war spirit is [always] fully as disastrous as the havoc wrought by war," nevertheless, Bishop McConnell states a profoundly disturbing truth. Whenever a nation does decide to go to war, or the "war fever" begins to sweep through a great people, normal methods and values disappear. The soldier who said, "Better call off Christianity until this war is over,"<sup>32</sup> was speaking more wisely than he knew. Chivalry and religion may to a degree temper the brutalities and the callousness of armed conflict, but the fight complex displaces all other values once it is on. It is easy enough for moralists to speak of "fighting one's enemy with sorrow in heart," or "shooting at him with pity," but it does not work out that way. Philosophers usually make poor soldiers; and the warrior who pities the enemies' wives and children does not, as a rule, get his horrible work done so well as the one who smites them hip and thigh. It would be ideal if the just man, called into battle to defend the right, could fight as calmly and dispassionately as he casts his vote in some quiet

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polling place, but the very nature of armed conflict precludes such dispassionateness.

Akin to the spirit of mass madness, and supporting it in every way, is the tremendous effect of propaganda, atrocity stories, patriotic acclaim, and all nationalistic agencies used to inflame one people against another. There is scarcely a government today which does not have able men and great agencies at work in this field. So strong a tide does all this make that the individual mind, even the clearest and coolest, finds itself yielding unconsciously to the pressure of collective non-reason. Whatever be the original cause of the war, before it is over, saints and philosophers alike will find themselves heavily influenced by the aroused passions and cries of their fellow citizens—a general unbalancing and warping of judgment which must give pause to every thinking man.

In fact, when a war is once started it proves to be a veritable avalanche, mentally and morally as well as physically. Everyone is caught in it, and rational men do irrational things. The behemoth of conflict moves slowly, inexorably, and the combined brains of the leaders do not suffice to stay or control the insensate cataclysm. Those who participate receive ineffaceable impressions, and the individual learns through long days and nights how small he is, how little he matters. In place of a name, the soldier gets a number; and instead of depending on his own reason, he is told to "await orders." There is a complete de-personalizing of every combatant, and even the commanders-in-chief and general staff officers feel themselves caught in a tidal current which they can neither control nor stay. It is against this de-humanizing and de-personalizing of the individual that the bitterest diatribes have been uttered



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by men who have once been through a war. Books like Remarque's *All Quiet on the Western Front* and plays such as *What Price Glory?* protest against the vast, unthinking senselessness of a movement that reduces all human values to atoms.

There is another truth which should be noted concerning the whole technique of compulsion: Whenever an appeal to force is made—war or even some lesser compulsion—there is thereafter no going back to the gentler methods of love or persuasion. One may go from love to war, but never from war back to love again. Moral suasion and sweet reasonableness may have proved very effective time after time, and may be on the point of succeeding once more, when an “act of war” is committed. But that act at once sweeps away all hope and promise of milder settlement. Thus we may appeal to a nation to respect international law and keep its pledged word; and, as long as we do, we may be sure that there will be some certain elements within the nation appealed to which will be inclined to yield. But when we send word that we are going to use our army and navy to compel the recalcitrant nation to keep its word and observe its treaties, that very threat kills at once all the incipient goodwill of the other people. Even the most pacific groups within its borders then join the chorus of anger. To be sure, force or even a threat of force may induce a weaker nation to yield—this has happened numberless times in the world and may happen again, but the spirit of suppressed hatred is not the spirit of viable peace. Whenever a nation does draw the sword, it may as well forget, and forget for a long time, the milder processes of appeal and reason. Love goes out and stays out when compulsion comes in—therefore this is the greater sin who

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calls on compulsion when love and friendship promise the faintest ray of hope.

Here comes in the vicious effect of "preparedness," huge standing armies with mass conscription, and gigantic fleets of war vessels. All this radiates a threat far and wide. It is often said that "the best way to keep the peace is to be prepared for war," but the argument has not proved reliable. Preparation for war is a threat of war, and therefore not a guarantee of goodwill. It may indeed serve the purpose of protecting from aggression the "prepared" nation, though this itself is by no means sure. Also there is the ever-present danger of a "prepared" nation itself becoming an aggressor and so forcing others to "prepare." "The sight of fresh means to do ill deeds," observed Sir William Harcourt,<sup>33</sup> "is all too likely to make ill deeds done." Preparedness on the part of any one nation stands as a perpetual affront to the spirit of trust and goodwill which must be at the heart of every enduring system of peace.

This section should not be closed without at least allowing the devil's advocate to speak his speech concerning the glories of war and the "stern virtues" which it develops in a nation. There is a martial tradition alive among most great people, and the youth of all lands find their spirits stirred at the account of brave deeds done by their ancestors on the field of battle. Sacrifice, even of life itself, has served to put a halo of glory around every man who marches out under the colors. "A soldier," said Carlyle, "is not primarily a man who goes out to kill; he is a man who goes out to die." It is that fact which explains why the soldier-in-bronze stands on a pedestal in every capital in the world, and why war proves a piper's call to the youth of

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every land. It would be a great thing if peace had its victories as dramatic as are those of war; or if there could be discovered what one philosopher called the "moral equivalent of war."

It is doubtless true that a war does develop a spirit of sacrifice among people and that there are certain virile and robust virtues alive in a military-minded nation. But all this fades before the awful fact that war develops vices which far outweigh all "virtues"; and this is to leave absolutely unmentioned the roll of the numberless dead, the wail of the broken homes and hearts which war has brought to every people. Give war all it claims, and horror at the thing itself will transcend all attempts to be fair. The only excuse that can ever be made for war is that there are some things—not many, but some—which are worse.

## X

It is now time to enter a more promising field, or one suggesting a practical technique which will make impossible, or much less likely, any future wars. It is quite true that war always has been, and, even while these pages are being written, war is going on in both Spain and China. But that war always will be, is a thought too terrible to contemplate. "Humanity must make peace or perish," said Lord Grey.<sup>34</sup>

Thinkers and the conservative classes of all nations are at present hoping and groping for some plan which will do away with armed national conflict. That plan, we have no hesitation in saying, must be found in a cosmic federation, a world-wide imperium, which will do for the world exactly what the government of any land does for its subjects—define rights, adjudicate dis-

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putes, and settle conflicts by the common sense of most, supported by the power of armed might.

It would be going too far afield were we to outline the present world situation and attempt to evaluate the many vast currents whose unknown resultant will be the world culture of the future. Suffice it to say that the novel and unprecedented situation that faces the world today comes about by reason of the power which man's inventions and technological processes give him either for good or for ill.

These inventions and processes are racing out in two directions, and no one can contemplate the event without the utmost concern. On the one hand, the whole world is being drawn together in a tighter and tighter cosmic unity; and on the other, the separate nations are being integrated as solid, compact, irreducible national units.

That is to say, there is in the world today a growing conception of cosmic unity such as was not dreamed a few years ago. The "oneness of all people" meant very little in past ages, before modern methods of travel and communication had made it a stark fact. The steamship, the radio, the cable, the motion picture, the airplane, the motor car, with countless other inventions, have shortened distances, familiarized every people with every other people, and developed a world-wide concept of human solidarity and goodwill that promises to grow more and more comprehensive as time goes on. "Isolation" may be a political expression, but it is no longer a geographical one. In a world locked together by brick and mortar, by wire and cable, by the crassest, crudest bonds, no people can live unto itself. The statesman who does not see this today is blind. The world is an integral unit.



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But at the same time, those very processes of invention and communication which are integrating the world have enabled the separate nations to achieve for themselves even more rapidly a national unity which is complete and dominant. Nationalism has been brought to fruition even sooner than internationalism. Every government in the world today is vastly more powerful, more able to hold its place and solidify its power, than governments or rulers of a former age. The control of press, radio, telegraph, railway, every avenue of public information and expression, serves not only to cement a people into a powerful, political unity, but makes that unity utterly subservient to the government in control. The European dictators fully realize their power here.

Furthermore, those cosmic bonds which are described as tying the world together can be snapped off short at a nation's boundary line—and often are. In Germany today, it is said that there is a heavy penalty for tuning one's private radio in on a Russian broadcast! Nationalism is able, where it will, to block internationalism.

It will be understood, of course, that this increased national cohesiveness might make toward world peace, were the vigor of nationalism turned into channels of human co-operation. There is great hope that this will come about, but meanwhile there are old hates and rivalries, the result of long centuries of war and conflict; and there are "traditional policies" which nations follow almost reflexively. In France, for instance, government after government has taken the helm of state, ruled for a time, and then been overthrown; but each French government has maintained exactly the same attitude toward Germany as did its predecessor.

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Britain with her big navy, Germany with her magnificent army, and even the United States with its Monroe Doctrine and its "no foreign entanglements"—all show commitments on a world-wide scale which no change of party or ruler serves to alter. All other nations, too, have their programs and desires, the whole making a tangle of crisscross influences which accentuates cosmic unrest.

Added to all this there has come within recent times stress over economic needs. On a scale and to a degree that mean life or death, certain of the great nations have an abundance of raw materials and key products, and certain of the other great nations lack these things. Born of that lack there is at present a terrific world-wide tension. The "haves and the have-nots"—some writer has aptly classed the two groups. The British Commonwealth of Nations, France, and the United States stand out as foremost representatives of the first class; while Germany, Italy, and Japan may well represent the second. These last are proud and powerful peoples, and whatever be the theory to which they should adhere, there is within them a mighty urge to take what they need. Italy has already done that with Ethiopia; Japan, at this writing, is trying to do it in China.

This tension should be recognized and evaluated, but it is very doubtful that an equitable economic settlement would inevitably end all war. Certain socialists affirm that it would; Lord Bertrand Russell says it would not. A better balanced distribution of goods would, however, ease many of the terrific tensions of the present and to that extent should be encouraged. The razing of all tariff walls and the easy flow of manufactured articles across all borders would be the

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capstone of untrammelled distribution and would itself make for a cosmic brotherhood. But to such a plan, no nation, least of all our own, will today give much encouragement. Nevertheless, economic as well as social and political unity must be a feature of a warless world.

### XI

A POLITICAL organization for the world, to integrate and implement every move toward cosmic unity, is of course a desideratum that must accompany any possible plan for world peace. The League of Nations will be thought of in this connection, as it points the direction in which the world must go if there shall be a power great enough to act as a solvent for nationalism and strong enough to keep the peace. The present League has some serious flaws in its structure, but with all its faults and failures, has proved the most promising step ever taken in the direction of an ultimate world-wide imperium. It has done splendid work in many lines of national co-operation, and its victories in peace have been striking. Its weakness has been—let it be said sadly but with conviction—its refusal to enforce its own findings when such enforcement meant war.

In other words, we come back to our original contention. If there shall ever be cosmic peace, there must be a cosmic power sufficient to enforce and keep that peace.

As J. A. Hobson put it in the *Hibbert Journal* (October, 1935):

“At every step in the march of man towards a wider, closer social and political co-operation, some element of physical as of moral force has been required to secure

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and maintain the new achievement. More liberty and opportunity upon a higher level are only thus attained. As the autocracy of the primitive family yields to tribalism, and tribalism in its turn to provincialism, and this again to nationalism, there has taken place a natural pressure of human interests in favor of the wider scope. But in each case the crust of custom and the appeal of shorter-sighted selfishness require to be broken by an enlightened authority wielding the needed coercive power. Now civilization is brought up at the final barrier, that of the absolute sovereign autocracy of the nation-State. The insistent refusal to face the next step towards international co-operation, in spite of the urgent needs of peace and economic recovery, is in its most direct significance a refusal to expand the area of forcible sanctions. The impotence which so many friends of the League of Nations are now discovering in its structure and procedure, the elaborate play of formulas and play of "principles" to replace pledged policies, are rooted in the refusal to make that definite surrender of national sovereignty essential to win security for the constituent peoples by putting the necessary moral and physical authority behind the League. . . ."

This is true, and to what an impasse it brings us if we are to maintain, as some Christian thinkers do, that the evil inherent in the League of Nations lies in its power to apply sanctions, or in its threat to use force to sustain its sovereignty. For if it be true that never can the Christian countenance any war, then he can never countenance those methods of armed coercion which the League of Nations must be prepared to put forth if it is ever to be called upon to overcome national might by battleship, blockade, or soldiers.

This is not to assert that peace must and will, always and everywhere, be kept by the sword. The United



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States is not flying to pieces today simply because the separate states are afraid to secede. Time was when some of them did secede, and the federal power crushed them back after a bloody war. But the Southern States are not now held in the Union simply because of a fear of the United States Army. Neither do we believe that the peoples of the future world will be held together simply because they may fear the wrath of universal might. But as it happened with the United States, so it may with the world. There is a certain initiatory part that force plays, a certain "breaking of the crust," as Hobson expressed it, before a "stable" government finally emerges. Every newly organized nation passes through this critical period when its nascent sovereignty is called upon to prove whether it be sovereign in fact as well as in name. Some nations come through this testing time successfully; and, when they do, a psychological feeling of security and trust supplants and transcends the need for armed power which at first was so essential. Some governments do not come through successfully but fall to pieces before the determined opposition of the various forces they vain would co-ordinate—or before the crushing attacks of foreign foes.

In the present League of Nations the critical period is now on, if indeed it has not already ended disastrously, for the League's recent moves in the cases of Italy and Japan have been futile to the point of mockery. But whether it comes to pass in the present League of Nations, or in some other alignment of Powers, when the ultimate world-state finally emerges, it will necessarily undergo at its origin an inevitable period of distrust and tension. If it establishes itself, then, as more and more trust and reliance are reposed in it, less and

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less will it need to exercise or threaten its crude might. Force will be superseded by respect, and that by a benevolent goodwill and trust which after a time transcend all thought of power and provide a sanction so sure that no force can quite equal it. Then will come peace, viable peace, in so far as this restless world may ever know it.

Such certainly has been the experience of the race to date, as governments one by one have evolved. The United States itself provides a prime case in point, with powerful commonwealths at its organization absolutely afraid to trust the federal power, and each insistent on keeping its own sovereignty dominant. *E pluribus unum* was not written in an instant, and if Abraham Lincoln had not believed in using coercion to preserve the Union, there would not today be a Union that needs no coercion to preserve it. Paradoxically enough, peace does sometimes come by the sword, and war *can* end war.

One thing is certain: In the national conflicts and wars which will take place from this time forward, there will be less and less of that abstraction known as neutrality. How may any nation today be neutral when others come into conflict? The world is such an economic entity that the very withdrawal of support, the refusal to help either of two belligerents, means actually taking sides with one. The proclamation of neutrality issued by the United States when Ethiopia was invaded in 1936 proved a blow to the invaded people—and was publicly applauded by Mussolini. It helped him! And did he not fervently hope that Great Britain would also stand quietly on the side lines?

Likewise, the proclamation of American neutrality by President Roosevelt during the Sino-Japanese conflict

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of 1937 was greatly deplored by China. Dr. Wellington Koo, speaking for China, declared that this attitude would make the carrying on of war against the aggressor power far harder for the Chinese—as it did. But in spite of these facts, certain American church publications with shortsighted vision continue to urge “neutrality” on the part of our government, and in the name of peace. What shortsightedness! What failure to discern the times! To be sure, neutrality as a sort of stop-gap, a temporary resting place for our own nation in the midst of a seething world, may be approved as a diplomatic pronouncement, though impossible in actual fact; but if we are to teach our children that a do-nothing neutrality is the *summum bonum* of Christian progress in the world, then surely we are building on a philosophy which will have to be completely unlearned in a few years. For whether we wish it or not, our nation, too, is a part of the larger world, and its people cannot disavow their cosmic obligations. America either must assume those obligations, as costly and as dangerous as they may be; or it must refuse to assume them, at even greater danger and moral cost. The time will come when men everywhere will recognize this fact; and if we are ever to have a viable peace, *before* we have peace in every heart, there will be needed again—and perhaps again—the costly and sacrificial use of power. For if nations are to be policed, it will take vast armaments to do it, and, for aught we know, one or two more wars to end war. It took just that in the lesser units of tribe, state, and nation to secure the higher unity which these today enjoy.

For the rest, let us make it clear that the “war system,” as we now know it, must go. It is unthinkable that international anarchy as it exists today can

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long persist. It is as anachronistic as it is anarchic. It must be ended. But it will never be ended by the Christian conscience surrendering to a delusion of isolation, or to the acceptance of spineless neutrality. Nor do we feel that the simple, renunciatory non-resistance of the early Christian is what God would have us follow. Some say it is, and if so, may we with equanimity renounce all attempts to protect the weak, and cease to resist evil in any degree—and may we find in heaven that peace we despair of on earth. But if there be such a thing as the kingdoms of the earth being made ready to become the kingdoms of our Lord and of His Christ, if there be any possibility of creating in this world a peace and an order in which righteousness shall make its home . . . if peace for the world be worth the winning, then let us be a bit more tough-minded in facing realities. Again it is a question of making a choice and of being ready to live or die by that choice in the years to come.

## XII

WHEN a Christian individual is, therefore, faced with the question of his attitude toward war, he finds a vast complex of ethics and morals opening before him. Even when he is certain in his own mind as to the principles on which he wishes to proceed, he is often sadly puzzled as to whether or not the immediate situation facing him is one where those principles should be applied. One might believe that it is sometimes right to participate in war, but one might believe that it is not right to participate in the particular war in which his own country happens to be involved. Those who have declared that they will never again sanction any armed conflict, have, of course, taken a final position and



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need worry no more over a distinction between wars of aggression and of defense, between wars righteous and unrighteous. When a war comes, any war, they will simply repudiate the whole thing. For them it is that simple. But for many others, as we have endeavored to make clear, such an attitude cuts the nerve of far wider social and moral obligations.

In all the discussion above, we have not mentioned nor invoked the obligation which a man owes to his native land or to the government of his land by virtue of his citizenship. That obligation was our special study in a previous chapter, and it is unnecessary now to go deeply into it; but that there is such an obligation must be kept in mind. We abhor the thought that a man should unequivocally support his nation when he believes it to be doing evil, and "my country—right or wrong" is a dangerous travesty upon the deeper ethics of humanity as well as upon the special ethics of the Christian religion. Every man ought to have the right to reserve for himself a certain allegiance which he owes only to God; and, by the same token, there are some things which no government on earth has the right to compel a man to do.

On the other hand, those individuals who insist on allegiance to God, as they interpret it, against what may become the desperate needs of their own homeland, may treat too lightly the blessings which they now enjoy by reason of that homeland. American liberty, for instance, was bought with a great price, and to treat that liberty as though it were now a trifle to hold or to give away is to misread the whole story of the past. "The spectacle of a citizen's avoiding all military service by avowing objection to war, when men who believe otherwise are dying for the state, is not inspiring," observed

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Bishop McConnell.<sup>35</sup> We would not here overrun any one's conscience; and where a native-born citizen declares that he cannot conscientiously go to war, we would exempt him from military service, as Congress itself has done to date. Such a person is not responsible for his birth under the American flag, nor for the military obligations which his accidental citizenship thrust upon him; and if he wishes in the name of conscience to avoid them, we believe he should be allowed to do so. But with a foreign-born person who comes of his own accord seeking American citizenship (as we have declared in the previous chapter when touching on the MacIntosh case), the situation is somewhat different. The foreign-born person is not compelled to seek American citizenship, and if he cannot assume its obligations as these are interpreted to him by the American state, then he cannot feel aggrieved at being refused admission to the privileges and benefits of that state. The writer is aware that there is a great difference of opinion here, but he believes there is enough distinction between the foreign-born who comes seeking citizenship and the native-born who did not seek it, to make a difference in regard to this question of compulsory service in war.

For the rest, let the individual Christian pursue the technique of the peacemaker, and, as much as lieth in him, be at peace with all men. Let him as a citizen use his voice and influence to see that his nation obeys the strict rules of international righteousness and follows the tenets of good neighborliness toward all the other nations of the world. Let him demand that in those disputes which may arise between his country and others, arbitration or the judgment of an authoritative tribunal shall be permitted to decide the moot points, and let

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him insist that his own government shall abide by its judgment.

If, in spite of one's hope and prayer, war does come to one's nation, the Christian conscience will have to decide what each Christian must do about it. One may feel it possible to condone or excuse or even approve the war; on the other hand, one may feel it impossible. Even if a person should decide that the war itself is just or necessary, he will find that his participation in it, either as a combatant or as a supporter at home, will be influenced if not determined by powerful considerations often beyond his control. When all these issues present themselves, the Christian citizen must collate and evaluate facts as well as principles—his obligation to God, to the brotherhood of man, to his own special land and people, to justice, present and future, to peace now and peace hereafter—all this enters into his calculations. When he has arrived at his decision, then let him follow the truth as he sees it, whether that lead him to a camp for conscientious objectors, or to death upon the battlefield. Good men have felt led to both.

At all hazards, let the Christian people of the world take a wider view of their duty than that marked out by their own national boundaries. The specious philosophy of isolation and neutrality which has been the policy of our own land since the great war is certainly *not* the way out. We want no more wars, but there will be war and war again until the peoples of the earth are willing to pay the price and make the sacrifice for peace. We do want peace—peace for ourselves and for our children's children's great-grandchildren, but we shall never have it unless we work for it in the light of the centuries, not that of the years.

## CHAPTER SIX

### A CHRISTIAN MAN'S GOODS



"GENTLEMEN," said a well-dressed, impressive-looking man to a group gathered one night in the smoking compartment of a Pullman, "I want to ask you a question"—he paused.

The speaker was an Eastern capitalist, a man of some prominence, well known as the owner of a chain of cotton mills in the South. Those to whom he addressed this remark in the privacy of the Pullman were a group of prominent ministers who were returning from a conference they had been attending. By chance they happened to be on the same train with the capitalist, who, by the way, was a layman in the church of one of the ministers present. Through his pastor he had become acquainted with the various members of the group. In the easy camaraderie of the smoking car, with the heavy wheel-trucks below roaring out their monotone of miles covered and bridges crossed, the conversation was carried on.

"I have some mills, you know," the capitalist went on, "and I am criticized bitterly for paying low wages to my men. I know these wages are low; I know they are hardly enough to live on; but if I raise wages at all, I cannot sell my product for any profit. In fact, if I



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raise wages, I can't keep the mills going three months. Now here is my question: Shall I raise wages as they say I should, and close my mills entirely in a few weeks; or shall I keep on as I am—paying low wages but keeping the mills running somehow and keeping people at work? I can go on as I am, or I can raise wages and shut down in ninety days. What ought I to do?"

Silence—except for the roar of the train. One minister tilted his head back and looked up at the lights; another knocked the ashes from his pipe; a third grunted non-committally—no one said anything. The capitalist's question was not answered—in fact, has not been answered yet. Although the men before him had preached from important pulpits against "the profit motive," had thundered at "the acquisitive society" and the "rapacity of the economic order," when they were faced with the simple, stark question of a manufacturer who wanted to know what he should do, they remained silent. What should they have said? Or is there an answer? If so, we may be sure that it will prove to be but one of many which are given in response to questions concerning our present-day economic order.

This is the Age of Economics. Whereas other eras were torn by strife over religion, over civil liberty, or upset by scientific or humanistic achievement, our age is peculiarly awake to the problem of things and what to do about them. Whether economics be treated from the angle of the individual, with a personal what-shall-we-eat, or what-shall-we-drink, or wherewithal-shall-we-be-clothed; or whether it be viewed as a theory of world distribution of the world's goods, no one escapes it. Man must eat, man must be clothed, man must be sheltered. The earth and its things must be owned,

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controlled, and utilized by some one—that is to say, by persons, one or many.

The question is, *Who*, and by what title? And *why* or for what purpose? And *how* or by what process; with a *what* and a *when* thrown in for good measure? The whole world is ringing with questions along this line, and the Church itself is vastly disturbed by the conflicting cries and demands for action made upon it both by those within and those without its fold. "Christ demands," said the bishops of the Protestant Episcopal Church in their pastoral letter of 1933, "a new economic order."

More definitely the situation comes home to us in a realization that something is fundamentally wrong when in a land of plenty there are people who are in need; in a land of bumper wheat crops there are people who lack bread; in a land where cotton bales are grown by the million there are those who are naked and in rags; in a land where millions of dollars are spent on skyscrapers, office buildings, schools, colleges, libraries, even railroad stations, there are many who have not a plank between them and the winds of winter.

Whatever be the theory upon which we defend the present order, all men can see that something is wrong here, though just where the wrong lies or how to correct it is a different matter. Is it a Christian's duty to "sell all that he has and give to the poor"? Is it a Christian's duty to form his own group into a society where "all things are held in common" as they were in the Apostolic Church? Or shall he become an agitator on a wider scale, calling for a new type of government over the world, demanding that there shall be a collectivist control of "basic industries" and the "agencies of production"? Has the Christian—or any man, for

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that matter—a right to any goods which he may call his own? If so, whence comes his title? From God or from man? If from God, how may he by a divine title hold coal in his bin when his neighbor is shivering in a fireless house? Or how may he have two coats when his neighbor has not even one? And if his title comes from man, may not man take back what man has once given and shovel coal into all bins equally, or refuse to allow anyone to have two coats until everyone has at least one? These are but a few of the many questions which rise to the top when the waters of the great economic deep are stirred.

To set forth in order the principles that should help guide a Christian man here, and to think toward an economic technique that might well prevail among those who are followers of Jesus Christ, will be the aim of this chapter. Let us then look into it.

### I

THE economic tangle is so involved, and the books and articles written upon it are so numerous, that it would be impossible in a single lifetime to go through them all. To be sure, there are several great outstanding works upon economics; and it is said that *Das Kapital*, the monumental production of Karl Marx, is one of the most influential books ever written. Other towering peaks in the field of economics may be thought of, and today there are men of distinction who are writing on the various problems comprehended in this subject. But there is one thing to be noted concerning each of these authorities. The economist, like the historian, is heavily influenced by his own background, his personal circumstances, or that of his class; and while this personal bias is no doubt unconscious, its

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existence goes far to account for many differences in findings and attitudes among those who write and speak—and live—in the world of things.

Furthermore, the field of economics is so vast that although the separate parts interlock and interlace, an individual mind is almost compelled to restrict itself to one aspect or area of it. At any rate, that is what each economist usually does, knowingly or unknowingly. Indeed Mr. Walter Lippmann says, "No human mind has ever understood the whole scheme of a society. At best a mind can understand its own version of the scheme . . . which bears to reality some such relation as a silhouette to a man."<sup>1</sup> Certainly the field of economics, which means practically the whole field of ordered life, holds up before us today a differential calculus of fact and fancy whose comprehension proves to be beyond the reach of the most architectonic mind.

Where then shall a start be made? In admitting the above, does one not give up as hopeless any attempt to work out a Christian, or any other well-integrated solution of the social order? Perhaps so, on a vast, objective, cosmic scale. But in that special area where ethics and economics overlap, or in treating of the ethical basis of economics, the writer believes that some principles can be isolated and examined and that these principles can be followed far enough to guide us in practical life as we deal with the things which men possess.

Short-circuiting the usual lengthy disquisition upon economics and anything like a preview of "principles," let us face at once the situation confronting us. Here we are born into a world where the so-called capitalistic system is the accepted method of property control. Only in countries frankly communistic, or in those



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nations where the totalitarian state has taken over almost all of life, is this situation altered. For the ordinary American, and the man who lives in a presumably democratic country, capitalism provides the framework for his economic existence.

What is this capitalism, then, into which we are born? Dr. Walter B. Pitkin thus summarizes it:

"When men talk about capitalism, they usually have in mind a system including *at least* the following features, which I list in the generally accepted order of importance:

- I. Individual initiative
  - a. In picking careers,
  - b. In organizing business,
  - c. In developing new ideas and methods;
- II. Private ownership of
  - a. Personal effects,
  - b. Means of production, such as tools, processes, factories, and the like,
  - c. Means of distribution, such as trains, trucks, stores, advertising agencies, salesmen, and so on;
- III. Fair exchange of goods and services;
- IV. Fair competition
  - a. For jobs,
  - b. For customers,
  - c. For free capital (investment funds);
- V. Interest  
On accumulated funds loaned out;
- VI. Profit  
On accumulated funds invested in some enterprise."

These six points may be taken as a fair summary of the capitalistic system. Different interpretations may

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be put upon each one, and different values are certainly accorded to each; but there will be general agreement that Dr. Pitkin's diagram is a very good outline of capitalism in its larger aspects as the world today knows it.

A closer study of the above outline will make it clear that there are two main principles upon which the other six points rest. These are: *the right of private property*; and *the right of individual liberty*, or personal freedom in disposing of one's life and activity, one's goods and gains. Upon these basic principles rests the whole structure of capitalistic society.

It will, of course, be understood that neither of these principles is ever found in an absolute form. There are some things which no economist, no matter how individually minded, will yield to private ownership; and the right of personal liberty is always circumscribed by the personal rights and liberties of others. Emergencies frequently arise when both the right of private property and the right of individual freedom may be abridged for the public welfare; but normally in the peace-loving, peace-enjoying democratic countries where the capitalistic system is in vogue, the right of private property and the right of the individual to do what he will with his life and property are considered foundation stones of the economic order.

Those who champion the capitalistic system as the best and most practical order point out these basic principles and claim for them an advantage which they deny to other systems. They admit that this system has defects, but claim that it is better than any other that can be put in practice among men. They affirm that under it mankind as a whole can live in the widest and best way, as every individual man has an opportunity to show qualities of leadership, initiative, and

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helpfulness, which, by developing him most completely, means progress for the world. They affirm that a man can be a good Christian under the capitalistic order, that many have been and are now, and that one may help his fellow men under that order far better than under any other. They challenge objectors to show how or where another system will prove to be any more practical or advantageous.

Those who attack the capitalistic order answer by calling attention to its glaring defects, its competitive spirit, its rewards for selfishness, rapacity, dishonesty. As against the successful few, they point out the dejected and broken many. They call for some other system to be given at least a trial before mankind becomes too satisfied with the present order. Let us examine first the argument of the capitalistic champions, then take up the opposing point of view.

### II

THE right of private property, as we have said, is the foundation stone of the capitalistic order. Freedom of initiative and of opportunity, fairness of competition, the right to claim interest on money, or profit in business, all rest upon the right of a man as an individual to "acquire, possess, control and otherwise dispose of" some things as his very own. This right is granted to the individual under the capitalistic system, and is the pillar and ground of its whole structure. As a consequence, any attack on capitalism must attack at once this right, certainly in its wider implications. Likewise, those who defend capitalism must defend the right of individuals to own and possess things. Those who thunder at the "acquisitive society" and complain about the "rapacity of the social order" without stopping to

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consider that both acquisition and rapacity rest upon the right of man to acquire for himself and to hold for himself, have missed the whole target. For if anyone—a Christian man, for instance—shall maintain that he has the right to own and possess certain things, he must in turn allow this same right to others, whether these others be animated by rapacity, “the profit motive,” or a high altruism. To take away the right of private property will, of course, in theory at least, put an end to the profit motive, as there will be no private profits to be motivated over; and, likewise, we may end rapacity in theory by refusing to allow anything to be “rapt” or taken by another—or is it that simple? At any rate, the whole structure of capitalism rests upon this right of the individual to say to the rest of the world: “This house (or this land, or this steamship, or this bank, or this railroad, or this corporation, or this group of cotton mills) is *mine*—and I shall do what I like with it.”

To trace the development of the right of private property and to outline the sanctions upon which it rests may prove too lengthy a process for this writing, but enough should be said here to indicate that there is a radical difference of opinion regarding it. There have always been two schools with reference to private property in its relationship to man. The one holds that it is a basic, fundamental, inalienable right not to be denied man save by defrauding him of his birthright. The other school holds that there is no such thing as man’s inalienable right to possess things for himself, and that even the theory of such a right was unknown until a comparatively late era.

Writers of the latter school hold, and the usual economist agrees with them, that the goods and values of the world were originally all held at the disposal of



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the tribe, the clan, or the primitive group organization, and that all shared equally. It is suggested by these that the first private possessions were personal trinkets, ornaments, and clothing; that after a time each primitive warrior came to have his own weapon, inseparable from his person; but that not until the era when pastoral life was undertaken and cattle were domesticated did true private possession come to be acknowledged. The forests, the pastureland, the arable fields, belonged to everyone for many, many generations, and the "common" in England yet retains the name which has come down from that era. In tracing this historic evolution these economists have with them many potent authorities. Even the most extreme individualist today finds it difficult to *prove* man's "inalienable right to possess." The very idea of such a right, according to the crasser economists of our time, is a figment of men's minds, originating in an era of boundless freedom and economic expansiveness. "The right of private property," says Marriott, "is a privilege conferred upon individuals by society." <sup>2</sup>

But other writers have recently attacked this conception vigorously. "Professor R. H. Lowie in his *Primitive Society* has exposed completely the misleading nature of the theory of primitive communism," affirms Dr. Harry Elmer Barnes. "The fact seems to be that private property has been present in all types of existing primitive society where private ownership would tend to advance in any important way the interests and efficiency of the group, or the initiative and prosperity of the individual." <sup>3</sup>

However the economists settle this matter among themselves, there is to this writer an argument of far greater weight supporting the latter view, and that is

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the inescapable fact that every individual *needs* a certain amount of private property if he is to develop as a man in the world. By what logic then may we allow man to have an indispensable, inalienable, personal need, but deny him the right to things which satisfy that need and force him to get his title to them at second hand or through the community at large?

Is it conceivable that the God who created man to be an immortal soul, not to be a unit in a cosmic social order, would have failed to grant him in the beginning a right to claim that which is so needful for his own development? Certainly the right was recognized at the very center of man's life in the Scriptural society of ancient days. "Thou shalt not steal," could have been written only for a people where "things" rightfully "belonged" to individuals. "Thou shalt not covet thy neighbor's house . . . nor anything that is thy neighbor's," but emphasized the same truth in the last of the Commandments. There were long lists of injunctions in the Old Testament defining private rights and scrupulously protecting individual ownership. The buying and selling of land, the inheritance of family possessions—all this was recognized in the Old Dispensation. If we grant any validity at all to Biblical revelation, we must take cognizance of these facts in their relation to that society which the Christian Church holds was governed by divine law.

The fact that individual man himself cannot prosper as a man unless certain private possessions be accorded him, is to this writer an argument of incalculable weight. Liberty itself, which certainly is man's inalienable right, has a property basis without which it cannot long survive. The older generation of thinkers and economists understood this truth and stressed it heavily.

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The French of 1789 in their declaration of the Rights of Man asserted that "property is an inviolable and sacred right." The Virginia Bill of Rights declared that "the means of acquiring and possessing property is the base and foundation of government."<sup>4</sup> As Professor Ross J. S. Hoffman tells us, "wherever the Republican liberating movement swept, it tore landlord feudalism and economic monopoly to pieces, and left standing a society of citizen owners."

Now, since this is true—and who can deny it?—is it not time we affirm with more boldness that the sanction for private ownership rests not on the goodwill of that community in which a man happens to live, but on the nature of the man who lives in the community? Certainly to yield here is to play directly into the hands of totalitarianism, collectivism, and communism in their most tyrannical forms. For on the postulates of these organizations, the individual has value only as a part of the whole; but on the postulates of Christianity, the organization has value only as it prospers its individual members, not for time, but for eternity. If man as an immortal soul is prospered and developed by having certain things of this life as his very own, by what warrant may this right be denied him and vested in a collectivist order which is not immortal? By no right whatever, unless it be held that a social order which will die is more important than its members who never will.

"But," some one puts in, "to argue for the right of private possession is to indict capitalism by its own fundamental assumption, for there are millions who are not allowed to have needed things under this system. We agree that all ought to have, but it is just as evident that all do not have. How may capitalism be defended in the face of this need?"

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Capitalism perhaps cannot be defended—at least, we are not undertaking now to defend it. We are eager to establish the principles stated above—that man has a right to some things of his own simply because he is a man.

### III

THE other leading principle of the capitalistic system has to do with the personal liberty of the individual—that is, his right to determine for himself what he shall do with his life, his time, and his property. By the words “private initiative” is meant the power an individual possesses to direct his activities as may seem good to him. By “competition” is meant the opportunity an individual has to compete with other individuals either in buying those things he desires, or in selling those things he wishes to dispose of. These are rights dear to the individual and are usually guarded carefully from undue encroachment by outside force.

A growing city boy, for instance, makes an attempt to obtain a paper route so he can deliver papers each morning and earn money. In applying for the position he is in competition with a number of other boys who likewise wish to obtain this desired employment. All agree that each of the boys has a right to apply for the place, though for one who obtains it, there are others who will not. All agree that the employer has the right to give the position to the boy to whom he chooses to give it. It is his, that is, the employer's, to give or withhold.

This situation can be multiplied by millions of like instances. Theoretically, the capitalistic system opens every position and every market to fair competition. Practically, of course, there are all manner of laws and



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regulations circumscribing competition. These are aimed not at the competitive system itself, but to sustain certain other valid rights. Theoretically, a mill owner under the capitalistic system ought to be allowed to employ whom he pleases, and the employees should have the right to sell their services to the mill owners for such remuneration and for such hours of work as they may mutually agree upon. But, practically, the rights of both are curtailed by legislation. The mill owner, for instance, is not free to make his own hours, but must conform to labor regulations and must pay certain wages as directed by an overhead social control. This has been found necessary to prevent unfairness on the part of unscrupulous owners, or the exploitation of those who are underprivileged. Pure capitalism, if there were such a thing, would allow individuals by themselves to make their own bargains and determine their own rules.

As it turns out, and as all recognize in this whole matter of conflicting private rights, a certain spirit of fairness or of equity between man and man is fundamental to a proper outworking of any system—especially that of capitalism. This matter of fairness may be defined by statute, and is in numberless cases; but even more fundamental than legal enactment is an underlying spirit which seems to point out what is right and what is wrong. For once we grant the right of private ownership to the individual; that right itself is so sweeping and authoritative that in maintaining it we provide a principle which speaks with finality on many other matters.

Take as an example the man whose question began this inquiry—the man who owned the cotton mills and wished to know what wages he should pay. If the

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nation at large shall have the power to tell him what wages he must pay, it is clear that it takes from him not only some of the rights of ownership, but some of its responsibilities. After all, the mills are his if private ownership means anything, and he may close them or open them as seems good unto him. The same principle holds true with reference to any other private business or undertaking where the owner is allowed to have control. He cannot be held responsible for success or failure, for good management or bad management, unless he is in control; and the more the state or society at large cuts in on his control, as for instance in telling him what wages to pay, the more of responsibility it takes from the owner—or should in fairness take. The converse likewise is true, the more control the more responsibility—and under capitalism the greater the reward for success and the greater the penalty for failure. All hang together.

Under capitalism also, by the right of private initiative, it is agreed that if an employer does not appreciate nor desire the work of an employee, he has the right to discharge him. To make an employer keep an employee whom he deems unprofitable to him or his work would be a violation of the employer's right. He, it must be remembered, is responsible for the success or failure of *his* enterprise.

Likewise, if an employee does not wish to work longer for an employer, he has a right to cease his work for the employer and find it elsewhere. Both employer and employees have the right to approach each other and bargain for possible change in hours of work, wages, and kindred matters. If a satisfactory bargain is agreed upon and no fundamental social right is impaired by such bargain, work can proceed. If a satis-

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factory bargain cannot be agreed upon, then the employer and employee part company with, theoretically, the rights of neither one violated.

The strike, where a large group of employees suddenly stops working in order to paralyze a business and obtain desired concessions from the owners, has been much discussed as to its ethical implications. Certainly the individual worker has the right under the capitalistic principle to cease work when he deems this advantageous. The same right must be extended to every worker no matter how large a group these together form. Private promises or signed contracts and the like may, of course, make a difference in special cases; but we are disregarding now everything but the fundamental principle.

A strike may catch a large business at an economic disadvantage, as its contracts, buying of material, output, advertising, and the like must be planned far ahead and posited on the assumption that the work will go on without interruption. For this reason the strike has often been called an unfair weapon, and we have no doubt has been used as such numberless times. Nevertheless, unless we wish to bind the employee as a slave, we must allow him the right to cease work, or "strike." The courts have upheld this right, and public sympathy has supported it. The strike is an instance where the capitalistic right of initiative and a desire for private profit on the part of the employee come in conflict with the equally capitalistic right of private property and the desire for profit on the part of the employer. Significantly enough, there are no strikes in non-capitalistic countries. The right to strike is denied the worker and the right to fix terms denied the employer since in the totalitarian state the government takes over the

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whole matter. But this, as we shall see, has dangers of its own.

On behalf of the employee it ought to be said that he always should and often does put into his work a spiritual quality which for want of a better term may be called "goodwill." This cannot be measured in terms of wages; and yet in the view of a higher equity, it must be recognized in every treatment of the labor problem. There are, "over and above the property rights of capital, human rights which belong to the worker . . ." says George E. Pettengill in the *Library Survey*. The extent of these rights is an indeterminate thing, but certainly no man can work for another man or for a business concern through long years and have that concern feel that it has fulfilled its entire duty to him by the wages paid. Loyalty, devotion, and a host of other qualities cannot be measured in terms of money or property alone.

The conflicts which sometimes occur between property rights and the intangible rights of labor came to a showdown within recent months in what became known as the "sit-down" strikes. In such strikes the employees did not leave the place where they worked, but in order to gain their ends, stood idly by their machines, neither operating them themselves nor allowing other persons to enter and work. Their apology was that they must do this in order to protect themselves against unfair practices such as low wages and the speed-up, and some of their champions went so far as to say that the "job is the property of the man working at it."

But the reaction of the American public was instantly adverse. "Whatever the rights which belong to an employee by the implicit terms of his contract," said



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Paul Blakely in *America*, "no employer can be supposed to concede rights so sweeping that they deprive him of ownership of his property." Private property here as elsewhere proved the prime determinant.

When it comes to interest and profit on investments, the same capitalistic principles hold again. The Church for centuries, as is well known, objected to all interest, terming it usury. Not until comparatively recent years was interest on the use of money equated with rent on capital—which it is. Profit likewise has been looked at askance, as some considered it to be a one-sided affair, where one party always got the best of the other. Actually both parties to a business transaction may and should profit, and usually do, else trade itself would die. At any rate, under capitalism it is agreed that whoever has capital—money or land or tools or whatnot—should have the right to have, to hold, or to use that capital, or to put it out or invest it in whatever way he may consider profitable. The profit that accrues to him is not only a benefit to the capitalist, but the token of a valuable service rendered other men or society at large. And when profits are taken away or confiscated, capital refuses to show itself. When profits are large, capital flows into the enterprise which produces them. The profit system, however it be indicted, has given more things to more men than any other system. From the Phoenician trader to the man on the Stock Exchange, it has been the mainspring of "busy-ness," or business, as we now call it. Commerce, perhaps more than anything else, has given us the modern world.

Profit, of course, may be and is, in the case of some men, selfish gain for which they give as little as possible. But profit may be and is, in the case of many others, the reward and symbol of a magnificent service rendered to

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one's fellow men. Here again, soul is the measure of substance.

### IV

It will be understood, of course, that in the above discussion, capitalism has been dealt with in its larger aspects. We have sketched its principles in the broadest possible way, endeavoring to make clear basic suppositions in order that we might rightly understand and deal justly with them. But it should be emphasized again that there is scarcely such a thing as pure capitalism today, for at many points the right of private ownership and the right of individual freedom are abridged by laws and processes designed to protect the interest of society as a whole against the encroachment of private tyranny or private monopoly. It has long been recognized that in war, or any social emergency, private rights must give way for the public weal. *Salus populi suprema lex est* (the safety of the people is the supreme law) was the way the Romans expressed it. In a national emergency it is generally admitted that normal private rights may be unceremoniously done away. Certainly a government that has a right to draft a young man for the battle front and take his life ought to have the lesser right of taking the private property of men who do not go to battle. Even in peace it has long been recognized that the state has the power by legal process to condemn a person's land for a highway, or take it over for a public utility of high communal value. The right of *eminent domain*, to express this in legal parlance, is not to be called in question; and while the state or nation is forced to pay for the land it condemns, nevertheless, it has the right to seize it for purposes which it considers of more benefit to all the people.

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This, too, is admitted as sound constitutional practice.

Even in private business, all agree that there are some undertakings which are of such vital import to the public weal that the community at large cannot be disinterested. Public utilities, such as the railroads, steamships, telegraph and telephone lines, public communications of all sorts, public education, and the like may be businesses in private hands; but the public welfare is everywhere involved. As expressed in a previous chapter, there is an equity which a city or state or a nation may claim in many public enterprises, and its claim here is allowed by all to have weight and justice behind it.

Not only is this true of avowed public businesses, but even private operations of the most personal sort are today hedged about by all manner of regulations. The extent of this government control—called interference by its enemies—is today providing a tense situation in the business world. That some government regulation is needed is, of course, admitted; but the extent of this provides opportunity for innumerable conflicts.

Theoretically a dairy owner ought to be able to milk his cows and sell dairy products to anyone who is willing to buy. The whole transaction might be considered as one between him and his customers. But it is not. The community says that as the public health is involved the dairyman must submit to a periodic inspection of his dairy. If any of his cows are found to be diseased, they must be withdrawn from the herd—perhaps killed—and the owner will not be indemnified. Does this compromise the right of private ownership? Yes, but in the interest of a public right which is here considered far greater.

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### V

It is easy enough to make a telling attack upon the capitalistic system by pointing out its flaws and shortcomings. Theoretically, it gives every man an equal opportunity; practically, some are born with no chance whatever. "Economic individualism," affirms Dr. Luccock, "has been a supreme enemy of individuals." Theoretically, goods will be distributed best when the demand for such goods becomes imperative; practically, distribution does not work out that way. Capitalism can be indicted even upon its own principle of private ownership; for, as was indicated, some never own anything under a competitive system, not even those things necessary for individual development. Furthermore, those who do own are often the strong, the ruthless, and the rapacious—the very ones who should not be rewarded; while those who lack are the weak, the unfortunate, the sick—the very ones who should be taken care of. Other faults of capitalism—overproduction on some occasions and underproduction on others, wasted effort, poor distribution, idle machines, idle men, unemployment, willing workers whom no man will hire, private mismanagement—all this can be cited and often is. Capitalism is blamed for the ills which it creates, and for some which it does not; and at all times the communist, the socialist, or the authoritarian has no trouble in publicizing glaring evils which no one can view unmoved. When the great drought of 1930 occurred, it was a national calamity—understandably so because of the failure of the crops. But the very next year there was a superabundance of rainfall and bumper crops over the whole nation, and this likewise proved to be an economic calamity. It is easy enough to see how a drought may be a disaster, but why a plentiful



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harvest should likewise be disastrous is incomprehensible to the ordinary man. Was it improper distribution, improper consumption, lack of buying power, prices too low for harvesting? The economists of all schools had their answers ready and gave them.

Some of the attack directed against capitalism is senseless and trivial, but some is not. There is a certain amount of relativity inherent in the idea of wealth, and this fact must be taken into account whenever better economic distribution is called for. We would not altogether agree with Ruskin that "the whole object of getting rich is to make your neighbor poor"; but it cannot be denied that under capitalism, wealth in general—certainly wealth when measured by money—is a relative thing. Perhaps it is under any system, though not always measured the same way. "The poor ye have with you always." Dr. Harry F. Ward has affirmed that communism challenges Christianity "by presenting a discipline for eradicating from human nature the love of money."<sup>5</sup> Perhaps it does, but communism does not present any discipline for eradicating love of place or power from human nature, for Mr. Lippmann shows very plainly that under communism there is a fighting for place, and for socially desirable positions, which goes on as ruthlessly as under capitalism men fight for money.<sup>6</sup>

One very serious ethical objection to capitalism is that the competition it calls for puts a premium upon greediness, selfishness, and rapacity. "How can a world of men, each of whom is animated by desire to profit at the expense of others, become a world where all shall profit?" is a question sometimes asked. A recent writer has observed: "Adam Smith taught that un-

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restricted self-interest would work for the universal good. Thus the acquisitive motive was invested with sanctity by the new economic order.”<sup>7</sup>

As has been suggested, rapacity and selfishness will be in rapacious and selfish men under any system. That fact must not be forgotten. Nevertheless, to avow frankly that the whole motive power of economics must be self-interest is to posit universal selfishness as the prime mover of man in his economic life. To admit this is enough to make us wonder—to say the least—whether we may ever expect collective unselfishness out of such universal selfishness. On the postulates of capitalism, the rewards in the long run go to the strong, the able, the clever, the fortunate, the healthy, the successful—that is to say, to the ones who can get them; likewise these rewards, which in some cases are the very necessities of life, are taken away from the weak, the broken, the stupid, the unfortunate, the sick, the unsuccessful.

One economist has illustrated in a striking way what he calls the “vicious circles of poverty.” If a poor boy can become educated, he can get a paying position and so be poor no more; but it takes money to secure a proper schooling, and he has no money and therefore must remain ignorant and, because ignorant, can get no better work and so always remains poor. Or a poor person who is sick cannot obtain remunerative employment because he is not able to work; if he can be given proper medical treatment and hospitalization, he can get well and so get a paying position; but he has no money to spend on medicine or physicians or operations and so must remain sick, and therefore out of employment and continually poor. Poverty leads back to poverty.<sup>8</sup>

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Such a system, covering the whole world of men, may prove to be the only practical one for the world at large. But no one can view it without feeling that it is a reversal of the long spiritual pilgrimage which man has been making for two thousand years. The "law of the jungle," as cynical writers sometimes call it, does seem to be the fundamental law of this sort of economic life. "Moral man" does seem to be caught in an "immoral society," to use Niebuhr's telling title.

### VI

WE can now take up definitely the question for which the above discussion will act as a setting: namely, can a Christian man accept the present capitalistic order and live a Christian life within it? And if so, shall he accept it as the best of all possible orders, or shall he acquiesce in it under protest, as it were, with the idea that it ought to be changed for the better at some future time?

Or rejecting this attitude as too spineless, shall such a man decide that the present order is hopeless and that there should be no compromise with it nor delay in changing it? If so, what other system or systems shall he put in place of the present order? And how shall he work for the proposed substitute order if he have one? By evolution or revolution? These are profound and searching questions, but they should be faced by each one who essays to think through a practical present-day philosophy of Christian economics.

Taking the above questions in reverse order, one finds it generally conceded that whatever new economic system is called for, revolution is not the way to obtain it. The conflict of class against class and the peculiar appeals to violence which have emanated from some agitators find no sympathy in present-day Christian

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thought. Some coercion, as we have admitted in a former chapter, may be necessary in the framework of human organizations, but armed revolution destroys for a long time that economic accord which it attempts to bring forth. "Coercion is creating the chaos it proposes to conquer," is Walter Lippmann's terse comment on this phase of the matter.<sup>9</sup> Political revolution may indeed be justified in extreme cases where the common sense of a great people see it as the only way in which to obtain just rights, but there is no excuse for such an internecine strife as the more rabid elements of communism call for.

But now comes the vastly more important question: If the present order be rejected because of its manifest faults and failings, with what other system shall it be supplanted? To ask this question is to answer it; for when individualistic capitalism is rejected, there is nothing left but some form of collectivism, with socialism and communism acting as foremost representatives. Necessarily it must be one of these two systems—or some system well over in a collectivist direction.

The line between socialism and communism is sometimes difficult to draw, but it seems agreed that socialism does not go as far as does communism. Usually, socialism suggests a less polemic technique for achieving its ends. The average socialist calls for government control of "basic industries," and of the "means of production and exchange." He demands that work shall be given to every man, and that every man shall be supplied with necessities of life and with the opportunity to labor. Communism as a rule goes much farther, and not only puts almost everything at the disposal of the commune, but has had many exponents who sanc-



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tion violent means, if these be necessary to achieve the desired ends.

It is thus clear that these forms of economic organization cover a sliding scale, with capitalism at one end, communism at the other, and socialism in between, but far over on the collectivist side. A "controlled economy," as called for by some today, might prove to be capitalism tinged with socialism, or it might be socialism modified by capitalism. It might in fact be somewhere in between socialism and communism, with much depending on the intent and meaning of those who make and use the definition.

In favor of a socialistic or collectivistic regime, it is argued that in this the good of every person is the avowed goal; and that "to every one according to his need" are the things of the world to be given. Inequality of possession and opportunity will be no more under such a planned society as is envisioned. The fundamental injustice of a social order that complacently allows one-tenth of one per cent of the American people to have as much as the forty-two per cent at the bottom of the financial scale—that will be done away. Furthermore, they affirm that Christian society was communistic at first in the days of its pristine glory, and should be so again if it is to fulfill its destiny. Certainly it should not be so complacently allied to the present inequality as it seems to be.

In reply, first, to the argument drawn from early Christian communism, let it be said that while this was indeed practiced for a time in the Apostolic Church, no one has ever contended with any seriousness that it was meant to be the pattern for all subsequent Christian social organization. The majority of commentators hold that community of goods has never been regarded

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as a universal Christian duty, but in early years was simply an expression of Christian fellowship and love within a group whose members then expected the imminent end of the world.

Whatever may have been the theory, the whole system went to pieces on the rock of experience. Even among these saintly people who had known the Lord, "there arose a murmuring of the Grecians against the Hebrews, because their widows were neglected in the daily ministration."<sup>10</sup> As the Apostles were Jews, the Greek members of the fellowship felt that the leaders were looking after the Jewish widows and children rather than the Hellenistic. This all too human incident is typical of the difficulty inherent in the communistic type of society, for that must proceed upon the assumption that each member of the society is as willing to look after the whole organization as he is to look after himself—an assumption which has always collapsed in practice.

In fact, the objection of the practical man today to socialism, communism, and all non-profit systems is that they will not work. That is, when the nerve of private initiative is cut, an economic paralysis falls on the whole body. Theoretically, men should work as hard for the good of society as they work for themselves, but practically—

"Till we are built like angels—  
With hammer and chisel and pen,  
We will work for ourselves and a woman,  
Forever and ever. Amen."

Government workers and those who labor for vast corporations where the wages of the worker are not

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directly affected by the efficiency of the organization quite often show an indifference and lack of energy which is marked. It seems impossible to get people to work for the common weal as energetically as they work for their own advantage. Even Russia has had to adopt within recent months a plan for rewarding in some distinctive way those workers who surpass their fellows.

### VII

"BUT great collectivist systems are working today in foreign lands," someone says, "and may not some sort of controlled economy likewise work here in our land?"

It is certainly true that there are today systems in practice in the world which are frankly communistic or socialistic. How long they shall last or how satisfactorily they are working is at this writing a debatable matter. But there is one fact about them all which must never be overlooked: The motive power behind each of these systems is a coercion that sometimes runs into terrorism. Certainly no such motive power can be sanctioned by those who are thinking in terms of primitive Christianity, or who long for a Christian economic order. The driving force behind capitalism, it is admitted, is the desire for private gain or advantage whether that be good or bad; but the driving power behind socialism or communism, if these work at all, must be coercion. Practically every form of collectivism depends on coercion and the penal power. Many good people cry out against present-day economic ills without realizing this stark, unlovely truth about the systems they would substitute for capitalism if they did away with it.

That terrorism or the ruthless use of force is needed

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to maintain any collectivist order is not always admitted, but it cannot be denied that it has been manifest in Russia, in Germany, and in Italy where collectivist societies today are functioning in their most conspicuous forms. That it always will be necessary in any collectivist organization that works at all is almost as evident—and in this fact lies a great danger.

The acceptance of an omnipresent coercion as the motive power for an ordered society not only prevents the untrammelled outflowing of the spirit of man, but is an *eternal affront to the whole genius of Christianity*. There is a vital difference, as Mr. Lippmann points out, between "the patriotism of the collectivist who sacrifices the individual, and the patriotism of free men who sacrifice themselves voluntarily."<sup>11</sup> The motive force behind Christianity's attempt to modify social inequality has always been primarily an appeal to love, brotherhood, and sympathy. The whole genius of the Christian movement rests upon moral suasion, and there is no such thing as compelling a rich Christian to give to a poor one.

To be sure, as we made clear in our chapter on war, coercion must sometimes be relied upon to crush evil-doers, to thwart criminals, or to protect the social organization. The state may likewise use force to evict a man from land which does not belong to him; it may sell a man's property if he will not pay taxes on it to the government which normally protects him in the enjoyment of it. But there is a vast difference between that modicum of coercion which governments need to safeguard individual rights and to maintain sovereignty, and that all-pervasive force and fear which the authoritarian state presses upon every man at all times. Coercion is the occasional thing in capitalistic economics;



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it is the very breath of life to any collectivism that will work. To be sure, if all men were good and unselfish, a purely communal or collectivist system would work without coercion. But so would capitalism, and without its present evils. Failing the perfection of humanity, or a sufficient near-perfection, we must make the best of what we have, and choose between the pull of the selfish, profit motive of capitalism, and the drive of the fear motive of collectivism. And let those who choose know exactly what they are doing!

### VIII

As to living a Christian life within the present economic order, no one doubts that millions are now doing that just as millions have always done. All through the centuries Christian people have bought and sold, gained or lost, employed or been employed, exactly as today.

The Christian Church has, from its beginning, grown up within the framework of capitalism. Its people in every century have expressed their economic lives through the fundamental attitudes of the capitalistic order. There was indeed, as was mentioned, a touch of communism in the early days of the Church; and from time to time Christian communistic orders have set themselves off to live communal lives in their own isolated groups. But these have all proved to be but spasmodic, ephemeral manifestations; and capitalism has to date been the social organization in which Christianity has lived its economic life. The virtues of thrift, foresight, industry, diligence, sobriety, and prudence, acclaimed by Christianity, are the robust virtues of the capitalistic order. The inequality of opportunity and the relativity of wealth seem always to have been accepted as a part of the unalterable data of the world.

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Nor has the Church ever had any great objection to men becoming very rich, even taking this at times as a mark of God's favor; and it always has been glad to number the wealthy among its members. "The possession of property," affirmed the episcopal address of the bishops of the Methodist Episcopal Church in 1936, "is not a sign of iniquity." Those socialist and communist writers who attack Christianity on the ground that it is "allied with capitalism" have some truth on their side. The getting of individual gain, the amassing of an individual fortune where this can be done honestly, has been regarded as almost a Christian duty. "If any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel," declared St. Paul.<sup>12</sup>

Communism officially has long been frowned upon. When the Prayer Book of the Church of England appeared with its Articles of Religion, one of these definitely declared: "The riches and goods of Christians are not common, as touching the right, title, and possession of the same; as certain Anabaptists do falsely boast. Notwithstanding, every man ought, of such things as he possesseth, liberally to give alms to the poor, according to his ability."<sup>13</sup> Other Christian communions have subscribed to this same doctrine. "None, except sectarian fanatics such as Thomas Munzer, have ever held that communism was an essential element of Christian life," declares the *Schaff-Herzog Encyclopedia*.

But offsetting this powerful affirmation of the right of individual ownership and the apparent approval of the whole capitalistic regime, two things should be said. First, the Church does not now and never has approved of profit for profit's sake, but as a return for, or token of, a service rendered. The first item of the

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"Social Creed of the Churches" (Federal Council of Churches of Christ in America) calls for: "Practical application of the Christian principle of social well-being to the acquisition and use of wealth; subordination of the profit motive to the creative and co-operative spirit."

In other words, the stewardship or trusteeship of wealth is stressed by the Church as a prime Christian obligation; and while profits are allowed as just and equitable, no one may put profit above service without being a violator of this Christian code. The Church, for instance, will proclaim that the laborer is worthy of his hire; but it will insist that he who works merely for hire and does not see his labor as a socially valuable undertaking contributing to the common good, has fallen short. Here again, it is clear that a spiritual measure is to be applied along with a materialistic one; and this, of course, makes judgment impossible on the individual case. No one can tell whether a man is working selfishly for profit, or whether he is in his heart "subordinating profit to the creative and co-operative spirit." One cannot forbid man his profit without injuring his initiative, his creativeness, and his individual worthwhileness. Yet if one does allow man to work for profit, it may be that he will work for that and that alone. This is the dilemma the profit system presents, and only the God who made each man knows what he really feels toward his work and gain.

Likewise, over against the Christian approval of capitalistic inequalities, the Church has always taught a leveling of financial differences, and a certain equalization of property through the goodwill of those who have supplying the wants of those who have not. "Charge them that are rich in this world, that they be

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ready to distribute, willing to communicate; laying up in store for themselves a good foundation against the time to come, that they may lay hold on eternal life," St. Paul enjoined.<sup>14</sup> To remember the poor has been a constant principle of Christian life. "Whoso hath this world's goods and seeth his brother have need, and shutteth up his mercy from him, how dwelleth the love of God in him?" asked the Apostle. Christians must share and share freely with each other, and with every poor man. The technique of Christianity, therefore, has been to accept the principle of ownership as just, but to teach sympathy, helpfulness, and charity.

But this method has been scorned by many as trivial, harmful, and inadequate. "The fundamental injustice still operating in wealth distribution robs charity of all the graciousness of true love," writes Albert D. Belden, "and clothes it with the insult of the bribe. 'There is no gratitude in the poor these days,' one hears. How can people be grateful who have come, for good or ill, in error or truth, to the conclusion that what is given them is but the meanest instalment of their own, withheld from them by fraud of system if not by fraudulent intent?"<sup>15</sup>

One present-day economist actually lists almsgiving as a cause of poverty; and another affirms that it "perpetuates the conditions it would relieve." All realize, of course, that charity can be a cold, callous process, hated by those it would help. But hated or not, ineffective or not, it is enjoined by the Church. Charity and almsgiving have through the years tempered the disparity of economic condition; and when, as in the "Vision of Sir Launfal," instead of flinging gold callously and carelessly at a beggar one "gives himself with his alms"—there comes about something priceless be-



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tween man and man, even a deep realization and manifestation of human brotherhood. After all, as has been truthfully said, "the world wants persons, not things."

### IX

THE present-day Christian, therefore, in view of all this and considering his situation in relation to those larger currents which are sweeping his life onward, may be forgiven if he is sometimes as puzzled as was the benevolent mill owner. He may wish wholeheartedly that humanity may discover a technique whereby there may be a better and more effective utilization of all things for all men. But what is that technique to be? There is very little choice. It is impossible to believe in the right of private property, the foundation stone of the present order, and *not* believe in it at the same time. One cannot believe that all things should be held in common, and at the same time that some things should not be held in common. One can, of course, affirm that some things should be privately owned and some should be publicly owned—in fact this is what most people and most governments are today saying—but no two agree as to what these things are, and confusion grows worse confounded.

It is clear that two systems stand in classic opposition to each other (or perhaps in a most unclassic and inextricable confusion); and whatever system one chooses, one must choose with it its own peculiar faults and virtues. It is this crass fact that so many rebuilders of the world fail to take into account. They want the theoretic perfection of the planned society, or, let us say, the idealism of socialism, combined with the powerful individual incentive and drive of capitalism—and they cannot have such a combination. They abomi-

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nate the inequality and rapacity of capitalism; but as long as selfishness and covetousness are in human hearts, men, even though forbidden to have money, will seek just as avidly for place, or position, or ease, or comfort, or pleasure—the good things of life of which money is but the commonly accepted measure.

Some, therefore, affirm that the answer to the problem is not a new system but new people. This was the theory of the Church of the past, with its insistent declaration that the way to get a Christian world was to get a world of Christians. It is still a prime theory of the Church, and that statement itself epitomizes for many today the social and economic philosophy which should prevail in the Christian mind. These regard it a waste of effort to spend time in drawing plans or campaigning for a new social order when they might be out at work to make individuals better. They have upon their side the inescapable fact that if they should achieve their goal and Christianize the individuals of the world, they would at the same time redeem and bless the economic order irrespective of its type or form.

Such persons, however, fail to reckon adequately with the fact that in the meanwhile the world is not Christian and that the atmosphere it creates may become so noxious to the principles of Christian living that something more than saving individuals must be in the program. We affirmed in a former chapter that moral sanitation was needed in the world—perhaps nowhere more than in the realm of business. For there are principles to be proclaimed; there are habits and attitudes to be encouraged; there are evil practices to be frowned upon; and all this may be done, not as a substitute for, but together with, the saving of individual

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souls. There is a Christian collectivism too, which by radiating a healthful atmosphere may make an impact on the non-Christian world.

As it is, the Church today is in a world which is both Christian and non-Christian. To its own the Church may speak with authority upon all moral and ethical matters. To the outside world it may not, though its counsel and example frequently commend themselves as good policy and have great influence.

In providing principles which should guide its people in living Christian lives in the present business world, the Church has an opportunity to furnish an example in the way it conducts its own affairs. The Church itself is a vast organization and has an economic life of its own. It holds title to millions of dollars worth of capital in its own right, and has thousands of employees engaged in various lines of work. It drives through programs, prints books, borrows money, erects buildings, and even makes investments and collects rents. Before it can expect the world to be governed by the principles which it preaches, it must itself be governed by them. It can scarcely demand a minimum wage for the employees of the nearby cotton mills without fixing a minimum wage for its own employees. If it pays much higher wages to its own executives than it does to its unskilled workers, it cannot blame the world for doing likewise.

On the positive side, the line which the present-day Church seems to be following with considerable success is not so much the inauguration of a new system within its own economic ranks as a definite teaching with regard to the use of one's wealth in the world. *Stewardship* is the word which more and more is symbolizing the attitude of a Christian man toward his

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money. There are many Christian thinkers and economists who feel that if the lesson of stewardship is well learned by the Church so that it can be impressed on the world, it will be the greatest contribution which can be made to this whole field. Stewardship allows one to inherit money or to make it by approved business methods, but it insists that such money or possessions be held for God above and man below. Private initiative, therefore, is not cramped by the idea of stewardship, but developed by it; and rapacity and selfishness cannot motivate a man who deeply feels that what he owns has come by the sufferance of that God to whom he must render an account of those things which he is permitted to use and enjoy.

It is evident, of course, that stewardship as thus described is rigidly set within the capitalistic order and makes no attack upon the essential principles of that order. For this reason it can be frowned upon by those who feel that it is too blithe an acceptance of economic inequality. The steward may be caricatured as sitting in church upon Thanksgiving morning in full-fed, pious respectability, complacently giving thanks to God for richly blessing him; while a poor man, gazing within the door, vaguely feels that there is a trick in it somewhere. The steward may, in fact, do it that way; but if he has learned his lesson as the real steward of God must do, he will find no satisfaction within himself as long as there are those who suffer and want. "No man hungers but that I hunger; no man thirsts but that I thirst"—that is the ultimate lesson to be learned here.

When it comes to the outside world—that is, the vast realm of secular business—the Church is forced to adopt an entirely different approach from that which it can



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take toward its own fellowship. It can and does, of course, preach honesty, fairness, and brotherliness for all men, and proclaim its Golden Rule as the prime rule of business; but it is certainly ridiculous to expect that the spirit of love and brotherhood, which is the dynamic of such Christianized society as we have, will be found among men everywhere. Dr. Luccock makes sport of those who "imagine that our problems can be solved simply by listing things to be done and calling upon the world to be intelligent enough to do them. I have read a dozen books this year made on just that plan." He further confesses, "I wrote one myself—God forgive me!" <sup>16</sup>

Nevertheless, with all that, there has come about a certain spiritualizing of business within recent years, due in some measure to the influence of Christian principles. The words "co-operation" and "service," heard more and more in business circles, symbolize this spirit and attitude; and the Golden Rule is mentioned more frequently than the hard affirmation that "business is business." All this makes for a better atmosphere in world-wide economic life and provides an opportunity for progress and good will.

Co-operation and consultation, the writer believes, would have furnished the answer to the mill owner who asked the question concerning the wages he should pay his men. Instead of asking his ministerial friends what to do, he might have called his men together and allowed them to have a voice upon what was of such vital interest to themselves. Would they have preferred high wages for three months and then no employment? Or would they have preferred to work on at the low rate they were receiving? To be sure, this question might have caused a division among the workers; and

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it is conceivable that other influences, as a powerful labor union, for instance, might have had something to say or influenced the decision of the workers. All this might well have been in the mind of the thoughtful capitalist as he considered what he should do; but a sincere move toward co-operation can scarcely ever be a mistake. Labor and capital must work together if there shall be proper production, and the success of one is and should be the success of the other. All hostility, unfair practices, exploitation, sabotage, and the like break the co-operative spirit and are in the long run harmful.

In a wider way, practical Christian thought seems to acquiesce today in those steps which are being taken to modify the intense individualism of the past in favor of a growing universalism. The processes the various governments of the world are taking to prevent the growth of vast private fortunes, and to make the rich bear a heavier share of communal responsibility, seem to be approved as equitable. The two devices most commonly employed to do this, even by capitalistic governments, are the graduated income tax, and the inheritance tax. Mention should also be made of numerous "luxury" taxes, which theoretically bear upon the wealthy. Both these processes work within the capitalistic order, and are considered not so much the taking over of private wealth as the just price that wealth should pay for the increased protection and benefit of government which it needs and demands. With the money thus obtained the overhead organization is, theoretically, able to minister better to the needs of all, including those of its dependents, its poor, sick, insane, etc.

The proper working out of measures for the care of

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the diseased, the aged, and other dependents, provides perennial discussion. Economic and ethical authorities differ over the best way in which these measures are to be undertaken, but that they ought to be done if possible all agree. There is, of course, danger that the individual may lose his sense of personal responsibility when he sees the community assuming obligations which formerly rested on him. This is actually happening at present over our nation, and men are said to have cut their private charities because they are being taxed for public welfare. The "Community Chest" may, in time, congeal the very spirit on which it depends.

There is thus a dilemma presented to us. If private charity be depended on, the result is haphazard and woefully ineffective. If, on the other hand, public relief measures be put into effect, there is a depersonalized detachment about the whole process that mechanizes and warps both those who administer relief and those to whom it is administered. Being "on relief" may keep people's bodies alive, but something disastrous is done to their souls as well as to the public spirit behind the process. Dr. Henry C. Link affirms very decisively that "the method of Jesus was not to institutionalize the weak, but to humanize the strong."<sup>17</sup>

Apparently our own nation is going to grow more collectivist as time goes on. Already during the past few years epochal changes in the national economy have come about—most of these in the interest of greater government control of private industry and of private life. Authoritarian collectivism is as yet repulsive to the ethos of our nation; but it gives one pause to consider that the move toward collectivism is not, we are convinced, an ephemeral phenomenon, but the onward

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sweep of a world where the population is continuing to increase, and where technology is daily binding that population closer and closer together. The individual must live in a world of increasing crowds from this day forward, whether he likes it or not.

If there can be worked out a better ordered economy or any system that will give everyone in a generous way the things necessary to the living of a more abundant life, a life of a better developed personality, it will be welcomed by all. The difficulty of doing that we have tried to make plain in this chapter.

For the rest, let those who demand a new economic order know just what order they are demanding and be willing to pay the price for it, to take its evil with its good; or let them accept the present order and strive to make it a more equitable one. And let both those who demand a changed order and those who are content with the present one be everlastingly discontented with evil and greed and selfishness and rapacity in whatever order or people found. So may there be a better world.

"When the Church writes a new symbol," observed a Christian leader some years ago, "there will be in it a preponderance of social tenets, for the things spiritual will no longer be in dispute. He who can write a statement for the new social faith to be perfected in the teachings of the Church will find his final session amid the seats of the immortal. Let him write quickly."<sup>18</sup>

Those words were printed thirty years ago, and men are still writing statements for the new "social faith to be perfected in the Church." Men will continue to write them as years yet roll by, for the perennial problem of man and his things will not be settled by any one generation. In ages to come as in ages past, man's life



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will not consist of those things which he possesses; and the Church should have a care lest by a too great obsession over things it give that impression. Finally, let the great personal sins of materialism and covetousness be eschewed by the individual; let him guard his own precious rights and those of his fellow men against the encroachment of a materialistic collectivism, that would thwart the opportunity each man should have to develop freely among the things God has given to him; and let mankind at large be responsible for man in particular with an "each for all, and all for each" as the motto, not of one earthly state, but of the universal imperium of God upon earth.



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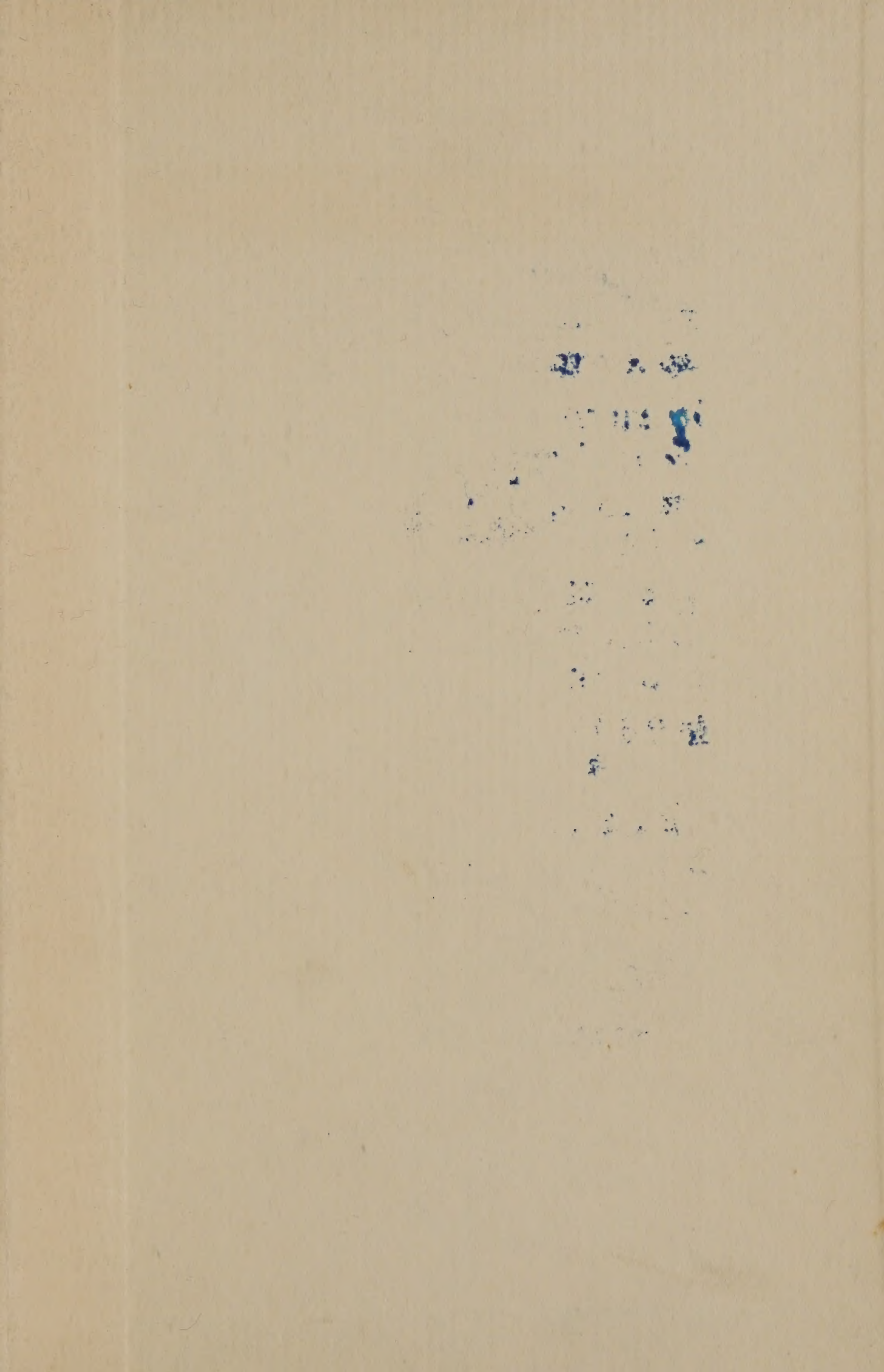






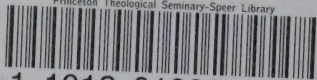
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